

**Proposed Agricultural Permitted Development - Assessment**

**Application Ref: 26/00402/AGDO**

**Permitted development**

**The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of:**

- (a) works for the erection, extension or alteration of a building; or**
- (b) any excavation or engineering operations,**

**which are reasonably necessary for the purposes of agriculture within that unit.**

**Officer Statement on Class A eligibility and agricultural justification:**

This is an application for the erection of a general purpose agricultural building at Mythe Farm, Pinwall Lane, Pinwall. The agricultural unit comprises an area of 62.57 hectares and is said to have operated for agricultural purposes for a period of over 100 years with the applicants having ownership for 71 years.

The proposed building is to be sited in the west of the land comprising the Mythe Farm holding approximately 500.00 metres west of the farmhouse and farmstead. It is proposed to be located approximately 25.00 metres south of an existing general use agricultural building of an identical ground area and a comparable height. It would have dimensions of 36.00 metres in length and 27.00 metres in width, with a ground area totalling 972.00 square metres. It would have an eaves height of 6.00 metres and a ridge height of 7.80 metres. The building is to be clad in corrugated sheet metal on the walls and roof, with the walls finished in green and the roof in natural grey.

The stated purpose of the building is to store grain crops, winter feed, agricultural machinery and hay. This is comparable to the stated purpose of the existing agricultural building to the north (permitted under 20/00826/AGDO), which was proposed to store agricultural machinery, seed and fertiliser, and harvested crops including hay and straw.

It should be noted that the Council refused prior approval for this exact scheme in February 2025 (Reference: 25/00007/AGDO). The justification given for the refusal is provided below:

*'The existing building to the north was permitted under 20/00826/AGDO in September 2020. In May 2023, the most up-to-date aerial imagery accessible at the time of assessment, the building had not yet been constructed. At a site inspection conducted in January 2025 the building had been constructed. It is therefore determined that the building was constructed within the past two years, no earlier than May 2023.*

*Taken together, the proposed building and the existing building have a combined ground area totalling 1,944 square metres.*

*It is noted based on the site visit undertaken in January 2025 and the application history for the site, that the wider agricultural unit is not utilised solely for agricultural purposes. The site is otherwise utilised for indoor and outdoor events, including buildings and spaces for general events and also specifically for weddings, as well as a bed and breakfast and caravan parking. There is also a fenced off go-kart track on site, though it appeared to be grown over at the time of the site inspection. The high number of vehicles parked at the site on aerial images clearly demonstrate this broader use of the Mythe Farm site.*

*The planning statement provided with the application states that this building is required for agricultural purposes but provides no further clarification to justify the need. The statement also does not address the need for 972 square metres of additional general agricultural storage within two years of 972 square metres of general agricultural storage being constructed immediately to the north of the development site. There is not considered to be any sufficient justification provided to address the need to significantly increase storage*

within this timeframe, on an agricultural unit that has otherwise been operating successfully for over 50 years.

Though not all paddocks within the agricultural holding were walked during the site inspection, no livestock was seen during the visit. It is therefore not considered likely that the levels of livestock on the site are significant, so as to require larger sized buildings for the storage of winter feed.

In summary, it is not considered that the applicant has provided sufficient evidence that the proposed building is reasonably necessary for agricultural purposes within the unit. There has also been no demonstration that the existing building, constructed within the past two years, is insufficient to accommodate the agricultural requirements of the site. Furthermore, given the agricultural unit comprises 27 hectares and is not exclusively utilised for agricultural purposes, it is not considered that the size and scale of an additional agricultural building as proposed could otherwise be considered reasonably necessary.'

In light of the above, a site visit was conducted by the Case Officer on the 9<sup>th</sup> June 2026. The site visit consisted of traveling around an extensive area of the holding where a vast number of livestock were observed and the buildings were observed being used for agricultural purposes. Inspection of the existing agricultural building (permitted under 20/00826/AGDO) evidenced that there is clear agricultural need for the proposed building. The building is at full capacity housing numerous pieces of agricultural machinery and livestock. This is without capacity for grain crops, winter feed and hay.

In summary, since the 2020 application there has been a clear expansion of the farmstead. The application form provided by the Agent outlines the need for the proposed building. It is therefore considered that the proposal can be considered reasonably necessary for the purposes of agriculture. In addition, the applicants agent has evidenced that the existing agricultural building was constructed more than 2 years ago, the ground area for this building is not therefore included in the calculation.

For completeness, it is acknowledged that diversification projects make up a small element of the farm such as indoor and outdoor events, including buildings and spaces for general events and also specifically for weddings, as well as a bed and breakfast and caravan parking, however these only make up 2.00 hectares of the overall farmstead.

**Development is not permitted by Class A if:**

(tick if triggered)

✓

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|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| (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                                                                                                                                                                                                                                                                                             |  |
| <b>Comment:</b> | <i>The development will not be carried out on a separate parcel of land of less than 1 hectare.</i>                                                                                                                                                                                                                                                                                                                         |  |
| (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;                                                  |  |
| <b>Comment:</b> | <i>No such development under Class Q or S has been carried out.</i>                                                                                                                                                                                                                                                                                                                                                         |  |
| (c)             | It would consist of, or include the erection, extension or alteration of a dwelling                                                                                                                                                                                                                                                                                                                                         |  |
| <b>Comment:</b> | <i>The development does not consist of or include the erection of, or extensions or alterations to a dwelling house.</i>                                                                                                                                                                                                                                                                                                    |  |
| (d)             | It would involve the provision of a building, structure or works not designed for agricultural purposes                                                                                                                                                                                                                                                                                                                     |  |
| <b>Comment:</b> | <i>The proposed building is not considered to be designed for agricultural purposes.</i>                                                                                                                                                                                                                                                                                                                                    |  |
| (e)             | The ground area which would be covered by:- <ul style="list-style-type: none"> <li>any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operation would exceed 1000 square meters; or</li> <li>any building erected or extended or altered by virtue of Class A, would exceed 1500 square metres, calculated as described in paragraph D.2</li> </ul> |  |
| <b>Comment:</b> | <i>The application is not for livestock or any plant or machinery arising from engineering operations and the building would exceed 1500 square metres.</i>                                                                                                                                                                                                                                                                 |  |
| (f)             | The height of any part of any building, structure or works within 3 kilometers of the                                                                                                                                                                                                                                                                                                                                       |  |

|                 |                                                                                                                                                                                                                                                                                                                                                                            |  |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|                 | perimeter of an aerodrome would exceed 3 metres                                                                                                                                                                                                                                                                                                                            |  |
| <b>Comment:</b> | <i>The proposed development is not within 3 kilometres of an aerodrome.</i>                                                                                                                                                                                                                                                                                                |  |
| (g)             | The height of any part of any building, structure or works not within 3 kilometers of the perimeter of an aerodrome would exceed 12 metres                                                                                                                                                                                                                                 |  |
| <b>Comment:</b> | <i>No part of the development would exceed 12 metres in height.</i>                                                                                                                                                                                                                                                                                                        |  |
| (h)             | Any part of the development would be within 25 metres of a metalled part of a trunk road or classified road                                                                                                                                                                                                                                                                |  |
| <b>Comment:</b> | <i>The proposed development is not located within 25 metres of a metalled part of a trunk road or classified road.</i>                                                                                                                                                                                                                                                     |  |
| (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; |  |
| <b>Comment:</b> | <i>The proposal is not for a building which would be used for the accommodation of livestock or for the storage of slurry or sewage sludge.</i>                                                                                                                                                                                                                            |  |
| (j)             | It would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or                                                                                                                                                                                                                                              |  |
| <b>Comment:</b> | <i>The proposed development does not involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming.</i>                                                                                                                                                                                                                 |  |
| (k)             | any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system-<br>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<br>ii) is or would be within 400 metres of the curtilage of a protected building.                                              |  |
| <b>Comment:</b> | <i>The proposal does not relate to any development which will be used for storing fuel or waste from a biomass boiler or an anaerobic digestion system</i>                                                                                                                                                                                                                 |  |
| (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.                                                                                                                                                                                                                           |  |
| <b>Comment:</b> | <i>The land/building is not on or within the curtilage of, a scheduled monument.</i>                                                                                                                                                                                                                                                                                       |  |
|                 | Has another agricultural building been constructed within the last two years?<br>(The guidance that accompanies Part 6 indicates that the calculation of the ground area should include other buildings constructed within the preceding two years. In considering the other building constructed, the development still falls within the 1000 square metre threshold).    |  |
| <b>Comment:</b> | <i>No agricultural buildings have been constructed within the last two years.</i>                                                                                                                                                                                                                                                                                          |  |

The proposal meets the criteria of Schedule 2, Part 6, Class A. The proposed unit is considered acceptable and justified within the site. In terms of design, external appearance and siting of the proposed building, it is considered acceptable and therefore prior approval is required and granted in this case.

The views to the building from the highway, Atherstone Road would be a distance of approximately 329.00 metres. The existing hedgerows lining the highway would provide a degree of screening with the existing and proposed buildings blending into the landscape by way of their sensitive finish and siting.

The scale of the proposed agricultural building is commensurate with the existing agricultural buildings on the site. The external material finishes are appropriate for a building of its type and would sit comfortably in the rural vernacular of the site.

It is therefore considered that while the agricultural building will be visible, it is considered to be satisfactory insofar as the building is visually well related to the other agricultural buildings nearby and its design and material finishes are appropriate for the setting. In terms of design, siting and external appearance the proposal is therefore acceptable. Prior approval is required and granted.

### Equality Implications

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equalities Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development