The Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended)
Part 6 - Agricultural and Forestry Class: A: Agricultural Development on units of 5 hectares or more

Proposed Agricultural Permitted Development - Assessment

Application Ref: 23/00249/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 a new steel-portal-framed building at Lindley Lodge Farm, Nuneaton Lane, Higham on the Hill. The development is required to keep fodder dry and away from weather conditions.

The development is located to the northwest of the site, which is outside of any identified settlement boundary in the open countryside. To the north, east, south, and west of Lindley Lodge Farm open countryside. Higham on the Hill is to the north of the site, and the YWAM King's Lodge is to the southwest of the site. The site is north of the A5, and over 200 metres west of it its highway access on to Nuneaton Lane.

The application site is 112 hectares in size and has been used for agricultural purposes for over 100 years.

The proposed building measure 15.24 metres in breadth x 30.48 metres in length, with a roof ridge height of 7.3 metres, and an eaves height of 5.1 metres. Materials comprise of green plastic-coated box profile sheeting to three sides with a 1 metre concrete panel base, and grey fibre cement roof sheeting.

Development is not permitted by Class A if: (tick if triggered) √

(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	
Comment:	The development will not be carried out on a separate parcel of land of more than 1 hectare.	
(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;	
Comment:	No such development under Class Q or S has been carried out.	
(c)	It would consist of, or include, the erection, extension or alteration of a dwelling	
Comment:	The development does not consist of or include the erection of, or extensions or alterations to a dwellinghouse.	
(d)	It would involve the provision of a building, structure or works not designed for agricultural purposes	
Comment:	The proposed building is designed for the purposes of agriculture.	
(e)	The ground area which would be covered by:- • any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or • any building erected or extended or altered by virtue of Class A, would exceed 1000 square metres, calculated as described in paragraph D.2	
Comment:	The proposed building would not exceed 1000 square metres and would not accommodate livestock	

(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	
Comment:	The proposed development is not within 3 kilometres of an aerodrome.	
(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	
Comment:	No part of the development would exceed 12 metres in height.	
(h)	Any part of the development would be within 25 metres of a metalled part of a trunk road or classified road	
Comment:	The proposed development is not located within 25 metres of a metalled part of a trunk road or 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;	
Comment:	The proposed building would not be used for the 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; or	
Comment:	The proposed development does not involve excavations or engineering operations on or over article 2(4) land which are connected with 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.	
Comment:	The proposed building will not be used for storing fuel or waste from a biomass boiler or an anaerobic digestion system	
	Has another agricultural building been constructed within the last two years? *(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).*	
Comment:	There is no record of any other agricultural buildings being erected in the last two years. This is in accordance with the guidance which states that applications for GDO buildings shall not be made within two years of one another.	

The proposal does meet the criteria of Schedule 2, Part 6, Class A. The position of the proposal within the site is well screened from the public realm by boundary trees and hedges. In terms of design, external appearance and siting of the proposal it is acceptable and therefore planning permission is not required.

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.