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## Planning Statement

**Old Parks Farm  
Kirkby Lane  
Newbold Verdon  
Leicestershire**

**Prepared For Mr Jamie Anderson  
January 2026**

**Philip M Coyne MA MRTPI**



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## 1. Introduction

- 1.1 This Planning Statement is prepared to support an application via Prior Approval for the erection an agricultural barn on land at Old Parks Farm, Kirkby Lane in Newbold Verdon.
- 1.2 The application is submitted pursuant to the Town and Country Planning General Permitted Development Order Part 6 (Schedule 2) Class A(a). Section 6 of this document assesses the proposal against this.
- 1.3 There has been no previous development of the nature proposed carried out on the site under this section of the General Permitted Development Order.

## 2. Background

- 2.1 2.1 The current owner purchased Old Parks Farm in 2020 as an operational agricultural unit. The farm is slightly in excess of 6 hectares in area. Whilst since this time the farm has been diversified to include an equestrian element, significant general agriculture activities have continued, focussing principally upon sheep farming and provision of associated crops. Prior to the applicant purchasing the farm, there had also previously been a degree of equestrian activity on the site.
- 2.2 The split between agricultural and equestrian activities fluctuates, but it remains predominantly agricultural and it is It is the owner's intention to further intensify the sheep farming element of the business. Notwithstanding any intensification, there is a current urgent requirement for increased space for the storage of hay, silage and winter food supplements, as well as space to accommodate agricultural machinery. It is this requirement which sits behind this application, and which has prompted a wider review of available space around the farm.
- 2.3 This application is also effectively a resubmission of Planning Application 25/00187/FUL, which was submitted to the Council in February 2025 and refused under cover of a Decision Notice dated 30th September 2025.
- 2.4 There were two Reasons for Refusal relating to the 2025 application. These were:
  - !. **The scheme represents new and unjustified development in the designated open countryside. By virtue of its size, scale, height, bulk, and massing, the development is of a considerable size that**

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overdevelops the site. This results in significant and permanent harm to the character of the site, the surrounding area, as well as the intrinsic value, beauty, open character, and landscape character of the countryside and the Newbold and Desford Rolling Farmland Landscape Character Area. These permanent adverse impacts are exacerbated by the visual prominence of the development from the Kirkby Lane and Public Footpath S26. The adverse impacts of the development significantly and demonstrably outweigh the potential benefits of the scheme in these site-specific circumstances. As a result, the scheme is contrary to, and in conflict with, Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and Chapters 12 and 15 of the National Planning Policy Framework (2024).

2. The Applicant has failed to demonstrate that it can meet the mandatory requirement for 10% biodiversity net gain within the site and the application is therefore contrary to, and in conflict with, Schedule 7A (Biodiversity Net Gain in England) of the Town and Country Planning Act 1990, as well as Chapter 15 of the National Planning Policy Framework (NPPF) (2024), and Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).
- 2.5 These Reasons for Refusal revolve around Policies DM4 and DM10 of the Council's Development Plan Document, together with Chapters 12 and 15 of the National Planning Policy Framework. Whilst this application will be judged against the criterion contained within Part 6 (Schedule 2) of the General Permitted Development Order rather than the Council's own policy base, the applicant would make the following observations.
- 2.6 In terms of Reason for Refusal No 1, the applicant would observe that equally to the element of the policy supporting a refusal, sub paragraph C of Policy DM4 specifically seeks to accommodate 'economic growth, job creation and/or diversification of rural businesses.
- 2.7 Whilst Policy DM10 has also been deployed in a very negative sense in terms of design, the applicant would highlight that there are no residential properties that would be impacted by this proposal. Further, the purpose of the Countryside and Rights of Way Act, and associated legislation, is not to impede rural businesses, but rather to maintain access for recreation and other purposes.
- 2.8 In terms of the use of the National Planning Policy Framework in supporting Council Policy, the applicant would again argue that were a more pro-active approach to be taken, there would equally have been national support available, specifically, within Chapters 6 and 11 of the framework.
- 2.9 Reason for Refusal 2 revolved around the failure of the application to achieve the required 10% uplift in biodiversity net gain. However, this application does not require this information.
- 2.10 The Delegated Officer Report relating to this application also suggests that the site is being used purely for equestrian purposes. This is incorrect, as stated above, the farm is always operating with a majority of traditional agricultural activity, and it is this agricultural component which lies at the heart of this application.

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- 2.11 Indeed, in addition to the applicants own stock, he periodically provides space for another local farmer to keep sheep on the land and also has arrangements with other local farmers to rotate stock between sites in instances where grass growth is poor in certain areas. It may well be this pattern of activity which led the Case Officer dealing with the previous application to believe that there was a more significant proportion of equestrian activity taking place.
- 2.12 The predominance of agricultural activity on the farm is attested to by way of two independent Statutory Declarations which accompany this application, and which are detailed later herein.

## 3. Planning History

- 3.1 The planning history pertinent to the site is set out below.

**25/00187/FUL** - Erection of agricultural building for hay and tractor/machinery storage. **Refused.**

**24/00488/HOU** – Two- storey side extension, creation of balcony, demolition and replacement of ancillary outbuilding and construction of double garage (retrospective). **Permitted.**

**12/00345/HEDGE** – Removal of 510 metres of hedgerow. **Permitted.**

**10/00489/GDO** – Erection of an agricultural building. **Permitted.**

## 4. Application 10/00489/GDO

- 4.1 As part of the background to the refusal of Application 25/00187/FUL the Officer Delegated Report states at paragraph 8.21 that 'it is also noted that there is an existing agricultural building within the wider site that was approved in 2010'. This statement is incorrect, as the 2010 consent was never implemented.
- 4.2 We assume that the building proposed as part of the 2010 application has been confused with an existing building, which sits adjacent to the 2010 application site, but which has been on the site for over 25 years.

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- 4.3 The building was reroofed by the applicant a few years ago which makes it appear more contemporary than it is, but footage below (Google Earth copied January 2026) shows it in position in 1999.



## 5. Current Use

- 5.1 The application site is currently disused, other than being used temporarily for the storage of vehicles and other agricultural equipment which had been displaced from existing buildings to accommodate hay and other perishable matter such as animal feed and supplementary food additives.



- ## 6. Prior Approval Application

- (b) it would **not** 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;*

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(c)it would **not** consist of, or include, the erection, extension or alteration of a dwelling;

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

(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 **N/A**

(ii)any building erected or extended or altered by virtue of Class A would **not** exceed 1,500 square metres],

calculated as described in paragraph D.1(2)(a) of this Part;

(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; **N/A**

(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; **N/A**

(h)any part of the development would **not** be within 25 metres of a metalled part of a trunk road or classified road;

(i)it would **not** 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;

(j)it would **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—  
**N/A**

(i)would **not** 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 **N/A**

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*(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. N/A*

## **Conditions**

**A.2 (1)** *Development is permitted by Class A subject to the following conditions—*

*(a) where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development are not used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this Part or for the storage of slurry or sewage sludge, for housing a biomass boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine; N/A*

*(b) where the development involves—*

*(i) the extraction of any mineral from the land (including removal from any disused railway embankment); or*

*(ii) the removal of any mineral from a mineral-working deposit, the mineral is not moved off the unit; N/A*

*(c) waste materials are not brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought are incorporated forthwith into the building or works in question. N/A*

**(2)** *Subject to sub-paragraph (3), development consisting of—*

*(a) the erection, extension or alteration of a building; N/A*

*(b) the formation or alteration of a private way; N/A*

*(c) the carrying out of excavations or the deposit of waste material (where the relevant area, as defined in paragraph D.1(4) of this Part, exceeds 0.5 hectares); or*

*(d) the placing or assembly of a tank in any waters, N/A*

*is permitted by Class A subject to the following conditions—*

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*(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; Confirmed*

*(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; Confirmed*

*(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; Confirmed*

*(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; N/A*

*(iv)where the local planning authority give the applicant notice that such prior approval is required, the applicant must—*

*(aa)display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant; and*

*(bb)where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in sub-paragraph (iv)(aa) has elapsed, the applicant is treated as having complied with the requirements of that sub-paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;*

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*(v)the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—*

*(aa)where prior approval is required, in accordance with the details approved; Confirmed*

*(bb)where prior approval is not required, in accordance with the details submitted with the application; and*

*(vi)the development must be carried out—*

*(aa)where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given; Confirmed*

*(bb)in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (d)(ii).*

*(3) The conditions in sub-paragraph (2) do not apply to the extension or alteration of a building if the building is not on article 2(4) land except in the case of a significant extension or a significant alteration.*

*N/A*

*(4) Development consisting of the significant extension or the significant alteration of a building may only be carried out once by virtue of Class A(a). N/A*

*(5) Where development consists of works for the erection, significant extension or significant alteration of a building and— N/A*

*(a)the use of the building or extension for the purposes of agriculture within the unit permanently ceases within 10 years from the date on which the development was substantially completed; and*

*N/A*

*(b)planning permission has not been granted on an application, or has not been deemed to be granted under Part 3 of the Act, for development for purposes other than agriculture, within 3 years from the date on which the use of the building or extension for the purposes of agriculture within the unit permanently ceased, N/A*

*then, unless the local planning authority have otherwise agreed in writing, the building or, in the case of development consisting of an extension, the extension, must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such*

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*condition as may have been agreed in writing between the local planning authority and the developer.*

*N/A*

*(6) Where an appeal has been made, under the Act, in relation to an application for development described in sub-paragraph (5)(b), within the period described in that paragraph, that period is extended until the appeal is finally determined or withdrawn.*

*(7) Where development is permitted by Class A(a), within 7 days of the date on which the development is substantially completed, the developer must notify the local planning authority in writing of that fact. Confirmed.*

## 7. Highways and Access

- 7.1 As set out in the Design and Access Statement which accompanies this application, the proposed barn would be accessed via an established access from Kirkby Lane.
- 7.2 There were no objections from the Highway Authority to application No 25/00087/FUL.

## 8. Noise

- 8.1 The location of the proposed barn is such that it would cause no noise issues to the existing residential property on the site, or indeed neighbouring properties.

## 9. Contaminated Land

- 9.1 The site on which the barn is proposed has no record of storage of materials that would be likely to result in contamination.



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## 10. Flood Risk

- 10.1 The Governments Flood Risk checking facility confirms that the site is in the Very Low Risk category for both River and Sea and Surface Water flooding.

## 11. Location of Building

- 11.1 The location of the barn proposed has been selected on the basis of the requirements relating to existing sheep farming activities on the site and will equally provide for future growth in agricultural activity.

## 12. Design and External Appearance

- 12.1 The proposed barn would be 908 sqm in size and is designed with an eaves height of 9.3 metres to ensure versatility and ensure sufficient height for the storage of hay and other feed products.
- 12.2 It will be accessed from its west facing elevation which looks into the farm and will be clad in green corrugated sheeting in order to minimise any impacts on the surrounding landscape.

## 13. Conclusion

- 13.1 The applicant would submit respectfully that this application qualifies for permitted development rights under the Town and Country Planning General Permitted Development Order Part 6 (Schedule 2) Class A(a), and that the Council should confirm that prior approval is not required.
- 13.2 The barn proposed is required in order to accommodate urgent existing agricultural need, based predominantly around sheep farming, and will also add new capacity to facilitate growth going forward.

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- 13.3 The proposed floor area is considerably below the maximum provided for within the Statutory Instrument and has been set at meeting the needs of the agricultural operation on the site rather than simply maximising potential floorspace.
- 13.4 The Delegated Officer Report relating to application 25/000187/FUL highlights that were the proposed barn 'reasonably necessary for the purposes of agriculture, the Applicant could have sought prior approval from the Local Planning Authority' (Para 8.20).
- 13.5 The applicant confirms that at the time of application 25/00187/FUL he was unaware that this route would have been available to him. Further the applicant feels that this application now provides the necessary background to the proposal and the requirements of the business both presently and going forward.
- 13.6 Finally, in relation to the suggestion in the officer report relating to the previous application that the business is primarily equestrian, this application is supported by two independent Statutory Declarations confirming that the business is predominantly agricultural. These are provided by Mr Grahame Clarke, a contractor who makes hay on the site during the summer months, and Mr Kevin Moore, who has himself kept sheep on the land at certain points.

## Appendices

Location Plan

Block Plan

Proposed Floorplans and Elevations

Design and Access Statement

Statutory Declarations x 2

