

Proposed Agricultural Permitted Development - Assessment

Application Ref: 25/00407/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 proposed engineering works seeking to lay hardstanding around the proposed agricultural building (25/00406/AGDO). The agricultural unit comprises of an area of 22.3 hectares and has operated for agricultural purposes for a period of 300 years.

The proposed hardstanding would have an area of 0.14 hectares within the site, not a separate parcel of land. The justification provided by the applicant is that the private way will surround the proposed building to allow circulation in a forward direction for vehicles needing access to the building.

The application site is located outside of but adjacent to the settlement boundary of Norton Juxta Twycross and can be accessed via an existing field access onto Wood Lane. The area is rural in nature with agricultural land to the west, north and east of the application site. To the south of the application site is Wood Lane which is characterised by several dwellings and former agricultural buildings. The land slopes gently from the south down to the north and east. The boundary adjoining Wood Lane comprises of a maintained mature hedgerow and no detrimental impact to the visual amenity of the area is considered.

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	
Comment:	The development will not be carried out on a separate parcel of land of less 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 dwelling house.	
(d)	It would involve the provision of a building, structure or works not designed for agricultural purposes	
Comment:	The proposed hardstanding is designed for the purposes of agriculture, to improve the agricultural operations on site.	
(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 would exceed 1000 sqm or - any building erected or extended or altered by virtue of Class A, would exceed	

	1500 square metres, • calculated as described in paragraph D.2	
Comment:	The ground area 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 proposal is not for a building which would 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 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	
(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.	
Comment:	The land/building is not. or within the curtilage of, a scheduled monument.	
	Has another agricultural building been constructed within the last two years? <i>(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).</i>	
Comment:	The development does not relate to the erection of an agricultural building.	

The proposal meets the criteria of Schedule 2, Part 6, Class A. The LPA are required to assess the siting and means of construction of the private way. The siting is acceptable as it surrounds another proposed agricultural building and is well related in that regard. The private way would be constructed using either concrete or rolled quarry tailings. Whilst there is limited detail given the distance of the private way from the prior approval 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:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - 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