

Proposed Agricultural Permitted Development - Assessment

Application Ref: 26/00279/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 an agricultural storage building for the storage of agricultural machinery and equipment at Barons Park Farm. The agricultural unit comprises an area of 232.80 hectares and has operated for agricultural purposes for a period of 200 years.

The application site is situated on land to the south of Desford Lane. The business operates on a commercial basis, growing combinable crops on a three-year rotation such as wheat, oilseed rape and barley for the purpose of selling the produce. It manages livestock such as dairy cows/heifers and the beef cattle.

Crop Type	
Winter Wheat	109 Ha (269.3 acres)
Winter Barley	32 Ha (79 acres)
Fodder Beet	4.8 Ha (55 acres)
Forage Maize	77 Ha (190.2 acres)
Hemp	10 Ha (2.47acres)
Winter Beans	16.2 Ha (49.5)
Total	232.8 Ha (575.26)

Table One: - Schedule of cropping regime of Fletcher and sons.

The proposed agricultural storage building would have dimensions of 42.70 metres in length and 16.82 metres in width and a total ground area of 718.21 square metres. It would have an eaves height of 5.32 metres and a ridge height of 7.33 metres. The building would have a fibre cement corrugated roof and would be enclosed by partially cladded PVC coated profile sheets. It would be sited to the north-west of the existing internal access road and to the south-west of the dwelling associated with Barons Park Farm. The existing agricultural buildings on the site lie adjacent to the main farmhouse.

The Applicant has clarified that the agricultural need for the building arises due to the increased use of specialist materials handling equipment which has resulted in the need to have larger, taller and more accessible buildings for storage of crops and fertilizers etc. The additional storage facilities will also allow the purchase of essential fertilizers throughout the year to try to avoid high prices and shortages, that will otherwise drastically affect the production and cost of food. The increase in rural crime, most notably the theft of farm machinery, equipment and tools also means that these expensive items cannot be left out in the open. Additionally, modern agricultural equipment contains highly sensitive electronics that should not be left exposed to the weather.

From review of Google Earth imagery there is a clear historic agricultural use at the site.

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:	<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;	
Comment:	<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	
Comment:	<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	
Comment:	<i>The proposed building is designed for agricultural purposes.</i>	
(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 operation would exceed 1000 square meters; 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:	<i>The application is not for livestock or any plant or machinery arising from engineering operations and the building would not 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	
Comment:	<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	
Comment:	<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	
Comment:	<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;	
Comment:	<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	
Comment:	<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- 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:	<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.	
Comment:	<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? (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,	

	<i>the development still falls within the 1000 square metre threshold).</i>	
Comment:	<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 agricultural storage building 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 not required in this case.

The views to the building from the nearest highway, Desford Lane would be limited due to the 290.31 set-back distance and existing mature hedgerow screening between the fields. In addition, the nearest public footpath is situated in excess of 400.00 metres from the building.

Whilst it could be argued that the location of the building is not satisfactory located insofar of the agricultural units in these site specific circumstances this position has been chosen for easier use and storage of goods when farming the surrounding fields. The parcel of land proposed further ensures that the existing farmed land is not disturbed as from Google Earth imagery it has historically been used for the burning of materials.

In light of the above, due to the design, external appearance and siting of the proposed building there is not considered to be a great deal of harm arise.

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:
- 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