

The Town and Country Planning (General Permitted Development) (England) Order 2024 (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: 24/00931/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 livestock building at Norton Barn Farm, Ashby Road, Twycross, Atherstone. The building is proposed to house livestock and would be constructed with Steel portal and a fibre cement roof with skylights. The building would be clad outside with wood Yorkshire boarding with concrete panels from base to Yorkshire boarding.

The proposed roof is to be covered with profile 6 reinforced natural grey fibre cement sheeting. All sheets to be fitted in accordance with the manufacturer's recommendations and fixed with galvanized drive screws and PVC washers. Both gable ends to be finished off with plain wing barge boards, colour to match roof sheeting

The development is located on the northern side of the farmyard, away from the highway and the site is outside of any identified settlement boundary in the open countryside. Twycross lies approximately 3km to the south west of the site.

The proposed building measures 42m in length, 24m in width, 7.5m to the ridge and 4.3m to eaves and is proposed to be 1,008sqm in area. The agricultural parcel is 100 hectares.

The proposed building would be located in close proximity to the existing farm yard, from its description it is designed for agricultural purposes (to house livestock). There is nothing within the application or information available to the LPA which raises doubt that the new building would not be reasonably necessary for the purpose of agriculture.

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 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:-	

	(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 (ii) any building erected or extended or altered by virtue of Class A, would exceed 1500 square metres, calculated as described in paragraph D.1(2)(a) of this part D.1(2)(a) For the purposes of Classes A, B and C— an area “calculated as described in paragraph D.1(2)(a)” comprises the ground area which would be covered by the proposed development, together with the ground area of any building (other than a dwelling), or any structure, works, plant, machinery, ponds or tanks within the same unit which are being provided or have been provided within the preceding 2 years and any part of which would be within 90 metres of the proposed development; (b) a reference to 400 metres in paragraphs A.1(i) and (k), A.2(1)(a), B.1(d) and B.5(1) of this Part is a reference to distance measured along the ground.	
Comment:	The proposed building would be 1008 square metres. There is no record of any other agricultural buildings being erected in the last two years.	
(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 GDO defines a protected building as: “protected building” means any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed; but does not include— (a) a building within the agricultural unit; or (b) a dwelling or other building on another agricultural unit which is used for or in connection with agriculture; The proposed building would be used for the accommodation of livestock and would NOT be within 400m of any protected buildings	
(j)	It would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming	
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 or	
Comment:	The proposed building will not 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 building is not on land or building that is, or is within the curtilage of, a schedule	

	monument	
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Prior Approval Matters

Based on the submitted information the proposal meets the criteria of Schedule 2, Part 6, Class A. In accordance with paragraph A.2(2) the LPA must assess whether prior approval is required as to the siting, design and external appearance of the building.

The proposed would be on the northern part of a large existing farmyard, facing open fields and would not be seen from public vantage points. In terms of design, external appearance and siting of the proposal it is similar to its context and no further information is required to assess the scheme. Therefore prior approval is not required in this case.

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.