HOWKINS & HARRISON

Planning Department
Hinckley & Bosworth Council
Hinckley Hub
Rugby Road
Hinckley
Leics
LE10 0FR

Date: 15th April 2025

Department [redacted]

Email [redacted]

Our Ref: JHGH/1026

Dear Sir/Madam,

RE: APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR THE ERECTION OF A GENERAL PURPOSE AGRICULTRAL BUILDING ON LAND OFF PECKLETON LANE, DESFORD

Please find enclosed herewith a completed application form for the above, submitted on behalf of Mr E Surman. The application is for the erection of an enclosed steel portal-framed agricultural building on land off Peckleton Lane, Desford, LE9 9QU.

This application follows application 24/01049/AGDO for which prior approval was refused on the grounds that insufficient information was submitted to demonstrate that the development was reasonably necessary for the purposes of agriculture.

As an initial point of clarification, the officer's report stated that 150 ha were lost to the solar farm. The covering letter of 24/01049/AGDO stated a figure of 150 acres, not hectares. In any event, the loss of land is a significant loss of capacity, as acknowledged.

The agricultural holding has indeed been farmed under tenancy since 1947. The officer considered that the business is not so threatened by the loss of agricultural land as to need a new building, given the duration of the tenancy.

It is not disputed that the land has been farmed under tenancy for a considerable amount of time, with no changes to the farmed area until permission for the solar farm was granted. However, from the applicant's point of view, this demonstrates a marked change in the landlord's position regarding the use of the land for agricultural purposes, and it is not clear that there will be no further severance of the tenancy, given the willingness of the landlord to do so already in order to accommodate the solar farm.

The land is farmed under Agricultural Holdings Act 1986 tenancy. Under the legislation governing these tenancies, descendants of the original tenant farmer are granted succession rights up to 2 generations. The applicant is a 3rd generation tenant farmer, who will not benefit from succession rights. In combination with the significant reduction in farmed land, it can be seen that the farming position, from the applicant's point of view, is more precarious than it may seem at first glance.

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As an ambitious young farmer, the applicant is not willing to rest on his laurels and is attempting to mitigate any future business uncertainty in a commercially prudent manner. For this reason, the applicant would like to ensure business security though asset ownership.

In light of the above, the officer's concerns over the size of the building are acknowledged and the size of building proposed in this application has been reduced significantly to a quarter of its size, from 446 m^2 to 111 m^2; this is to mitigate any concerns that the council may have over the scale of the development. The building is located in a field corner, close to a field entrance, in order to minimise any loss of agricultural land and to provide an efficient farming layout. The erection of the building would therefore be considered a low impact development, with no adverse effects on the surrounding area.

As described in the previous application, the applicant requires this new building for the storage of farm machinery which will be displaced when the business is reconfigured with increased cattle numbers. As it stands, much of the machinery must already be stored outside, which is undesirable for its longevity. Enclosed with this application is a set of photographs showing the extensive farm machinery and agricultural sundries that require storage. The lack of space will only worsen with increased cattle numbers, necessitating new covered storage space.

Alongside the application form, I also enclose the following documents:

- Location Plan at 1:2,500 that shows the outline of the proposed building in red, and all other owned land in blue.
- Site Plan at 1:500 that shows the outline of the proposed building in red, and all other owned land in blue.
- Holding Plan at 1:25,000 that shows the extent of the land farmed by the applicant.
- Photographs of the applicant's farm machinery and agricultural sundries which will require storage on reconfiguring the farming business.

I look forward to receiving acknowledgement of the receipt of the application at your earliest convenience.

Yours sincerely,

[redacted]

James Hatherell MEng (Hons) MSc
Graduate Rural Surveyor

Enc.