DELEGATED REPORT

Recommendation Made: 8 September 2011

Reference:- 11/00674/GDO **Parish:- Burbage Parish Council**

Applicant:- Mr R Coley
c/o agent

Location:- Hogue Hall Farm Lutterworth Road Burbage Hinckley Leicestershire

Proposal:- ERECTION OF AGRICULTURAL BUILDING FOR STORAGE AND LIVESTOCK

Introduction:-

This is an application for prior notification under the Town and Country Planning (General Permitted Development) Order 1995 Schedule 2, Part 6 for the erection of a general purpose agricultural building at Hogue Hall Farm, Burbage.

The agricultural holding comprises an area of 200 hectares and has been in operation in excess of 100 years. The proposed building will measure 18m in length, by 10m in width, and will have a maximum height of 5m. The proposed building is to be sited within existing farm buildings. The building will be used for general purpose agricultural storage and livestock.

The external walls of the building are to be constructed from concrete panels with a grey fibre cement roof.

Relevant Planning History: -

95/00630/GDO - Erection of a Steel Portal Framed Barn - General Development Order - 25.08.1995
02/01058/ADV - Advertisement Hoarding - Refusal of Advertisement Consent - 12.11.2002

Consultations:-

No Consultations.

Development Plan Policies:-

Town and Country Planning (General Permitted Development) Order 1995 Schedule 2, Part 6, 'Agricultural Buildings and Operations'.

Appraisal:-

The main considerations in respect of this application are whether the proposed agricultural building meets the criteria for permitted development of Schedule 2, Part 6, of the Town and Country Planning (General Permitted Development) Order 1995, which relates to agricultural buildings and operations and the design and siting of the proposed structure.

Town and Country Planning (General Permitted Development) Order 1995

The agricultural unit is approximately 200 hectares and the building is required for the purposes for general agricultural storage and livestock. Schedule 2, Part 6, Class A relates to development on agricultural units of over 5 hectares and allows for the erection of a building which is reasonably necessary for the purposes of agriculture within that unit subject providing that it does not fall under any of the prohibitions within A1 of Part 6.

The prohibitions are as follow:-

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 - The development will not be carried out on a separate parcel of land.
b) It would consist of, include, the erection, extension or alteration of a dwelling - It does not consist of or include, the erection or extensions and alterations of a dwelling house.
c) It would involve the provision of a building, structure or works not designed for agricultural purposes -The proposed building is designed for the purposes of agriculture.
d) The ground area which would be covered by: -

(i) any works or structure (other than a fence) for accommodating livestock or any plant machinery arising from engineering operations - The proposed building will be used to house livestock; or

(ii) any building erected or extended or altered by virtue of Class A; would exceed 465 square metres - The building being erected, altered or extended is by virtue of Class A would not exceed 465 square metres.

e) The height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would not exceed 3 meters - The building is not within 3 kilometres of an aerodrome.
f) The height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would not exceed 12 meters - No part of the building exceeds 12 metres in height.
g) Any part of the development would be within 25 meters of a metalled part of a trunk road or classified road - The proposed development is not located within 25 metres of a metalled part of a trunk road or classified road.
h) 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 - The building is not located within 400 metres of a protected building.
i) It would involve excavations or engineering operations on or over article 1 (6) land which is connected with fish farming. - The application does not involve any excavations or engineering operations which would be connected with fish farming.

There is no record of any other agricultural buildings being erected in the last two years and no other buildings available for use by the applicant within the holding for the purposes required. This is in accordance with the guidance which states that applications for GDO buildings shall not be made within two years of one another.

Conclusion.

The proposal meets the criteria of Schedule 2, Part 6, Class A. In terms of design, external appearance and siting the proposal is acceptable.

1 From a recent visit to the site I am able to confirm that the proposed siting, design and external appearance of the proposed building for the purposes of storing agricultural machinery and livestock is considered to be satisfactory insofar as the building would not appear unduly prominent. Therefore I hereby notify you on behalf of the Local Planning Authority that prior approval of the proposed development is not required.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Joanne Orton Ext 5666