

Proposed Agricultural Permitted Development Assessment

Application Ref: 25/00375/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 an extension to an existing agricultural building to provide agricultural storage for hay, straw, and feed for sheep and horses kept at White Gate Farm, Mythe Lane, Witherley. The proposed extension externally measures 6.9 metre in length by 18.5 metres in breadth, which has a ridge height of 8.8 metres, and an eaves height of 4.3 metres. This would make the existing structure externally measure 20.7 metres in width, and 18.5 metres in width, with a total ground area of 448 square metres. The development is constructed with vertical timber cladding and forest green profiled metal roof sheeting to match the existing structure.

The Applicant has stated that the agricultural unit comprises an area of 8.3 hectares and has operated for agricultural purposes for 136 years. Paragraph 3.1 of the Design and Access Statement states that the current agricultural holding is, “*Small,*” and the size of the agricultural holding was reduced in 2007. Since this time, some of the existing agricultural buildings within the site have been converted into holiday cottages via planning permission 11/00004/FUL.

Paragraph 1.5 of the Design and Access Statement confirms that the site has not been utilised for the purposes of agriculture by the previous owners of the site, and that the Applicant is a, “*New owner,*” of the site. Based on records publicly available on Companies House, the Applicant has utilised the site between 01 February 2024 and 25 April 2025, for their commercial company, Central Plant (Midlands) Limited, which is a machine repairing business. It is not considered that the site has not recently been utilised for the purposes of agriculture.

To justify their development proposal, Paragraph 1.5 of the Planning Statement states that the, “*New owner is keeping a small flock of sheep on the land (currently on the field to the north-west of the building group) and hopes to grow the flock over time.*” As a result, Paragraph 1.6 of the Planning Statement highlights that, “*The farm currently lacks suitable storage space for hay and straw and other products to provide winter feed for the sheep and also for horses kept on the site.*” In spite of this, Paragraph 3.4 of the Design and Access Statement then suggests that the building is for, “*The storage of tractors and other vehicles or machinery and the tools and other equipment required to repair and maintain them, now with the addition of hay and straw/feedstuff storage.*” It is noted that Paragraphs 1.5, 3.5, and 4.1 of the Design and Access Statement refer to the, “*Small,*” scale of the existing flock of sheep.

During the Case Officer's visit to the application site on 01 May 2025, the site featured a very small number of sheep. Whilst the existing agricultural building stored a tractor for the proposed use, the building was predominantly utilised for the storage of non-agricultural equipment and there was no evident agricultural use of White Gate Farm. Given the above, it is not considered that an extension of this size and scale to the existing agricultural building is reasonably necessary for the purposes of agriculture in these site-specific circumstances. Therefore, the proposal does not comply with the limitations of Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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 would not be carried out on a separate parcel of land of less than 1 hectare in area.	
(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 building is designed for the purposes of agriculture.	
(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; or - any building erected or extended or altered by virtue of Class A, would exceed 1000 square metres, calculated as described in paragraph D.2	
Comment:	The proposed building 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 proposed building would not 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 proposed building will not be used for storing fuel or waste from a biomass boiler or an anaerobic digestion system	
	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 metres threshold).</i>	
Comment:	There is no record of any other agricultural buildings being erected in the last two years.	

The proposal does not meet the criteria of Part 6 of Schedule 2 of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) because the Applicant has failed to demonstrate that the development is reasonably necessary for the purposes of agriculture.

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; and
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (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.