

Proposed Agricultural Permitted Development - Assessment

Application Ref: 25/00975/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 steel framed portal agricultural building at Glebe Farm, Sheepy Lane, Sheepy Magna. The proposed 450 square meter building measures 30 metres in length by 15 metres in breadth, with an eaves height of 4.65 metres and a ridge height of 7.5 metres. The structure is constructed with dark green metal box profiled cladding.

The Application Form states that the agricultural unit comprises an area of 9.2 hectares and has operated for agricultural purposes for over 40 years. The Application Form states that the structure is required for the storage of hay and machinery because the associated land does not benefit from an agricultural structure. No further information has been provided.

The red line boundary of the site covers four different agricultural fields, but this delineation between land owned by the Applicant and not by the Applicant is not reflective of the site's circumstances. Based on historic satellite imagery the land within the red line boundary of the site is not separated from the wider parts of these agricultural fields. It is therefore considered that the submitted details do not reflect the true area of agricultural land associated with this agricultural unit, and as a result it is considered that the Applicant has failed to provide sufficient justification to demonstrate that the new development is reasonably necessary for the purposes of agriculture within this agricultural unit.

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In addition, the Applicant's agricultural justification for a structure is because the land does not benefit from an agricultural structure. It is noted that the Applicant has excluded the existing agricultural structure to the north of the site from the red line boundary of the scheme. This existing structure has received prior approval for its conversion into a dwellinghouse via Class Q of Part 3 of Schedule 2 of the The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('GPDO') through applications 22/00403/P3CQ and 24/01162/P3CQ, and the 2024 application remains extant. Like the current proposal, these previous applications are located at Glebe Farm, and the Applicant of the 2024 application is the same as the Applicant for the current scheme.

Given the above, if the permitted works are carried out then the current development is contrary to the limitations of A.1(b) of this Part. Furthermore, if the existing structure remains as an agricultural structure, which, based on historic satellite imagery, has served the agriculture unit since at least 1999, then the Applicant has failed to provide any justification as to why a new agricultural structure, nor one that is of this size and scale, is justified in these site-specific circumstances.

In summary, the Applicant has failed to appropriately identify the true extent of the agricultural unit. In addition, in light of the submitted details and the planning history of the application site, the Applicant has failed to demonstrate that the development complies with the limitations of this Class A.1(b) of Part 6 of the GPDO, nor that a new agricultural building of this size and scale 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)

✓

(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 less 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:	Whilst the Applicant has removed the agricultural structure to the north of the site from the red line boundary of this application, this building received prior approval for its conversion into a residential property via Class Q of Part 3 of this Schedule via applications 22/00403/P3CQ and 24/01162/P3CQ. The 2024 application was made by the Applicant, and the location of the development is described as Glebe Farm, which is the same as the location of this application. No information has been provided by the Applicant to suggest that the development approved by these previous permissions has been undertaken or otherwise. Ultimately, the undertaking of these works means that the currently proposed scheme is not permitted by Class A of Part 3 of this Schedule. Therefore, the Applicant has failed to demonstrate that the development proposal complies with the limitations of Class A of Part 3 of this Schedule of the GPDO.	✓
(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:	There is nothing to suggest within the submitted details that the proposed building is not 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 1,500 square metres, calculated as described in Paragraph D.2(a) of this Part <i>(Paragraph D.2 of this Part indicates that the calculation of the ground area should include 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</i>	

	<i>any part of which would be within 90 metres of the proposed development. In considering the other building constructed, the development still falls within the 1000 square metres threshold).</i>	
Comment:	The proposed building does not accommodate livestock or include engineering operations and is less than 1,500 square metres. Whilst the Proposed Site Plan includes a provision of a new site access and vehicular track, the Application Form and the Covering Letter do not seek prior approval for this development and therefore this has not been assessed as part of this application.	
(f)	The height of any part of any building, structure or works within 3 kilometres 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 kilometres 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	
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 and is not within 400 metres of the curtilage of a protected building.	
(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.	
	The development is not on land or within the curtilage of a scheduled monument.	

In summary, the Applicant has failed to appropriately identify the true extent of the agricultural unit. In addition, in light of the submitted details and the planning history of the application site, the Applicant has failed to demonstrate that the development complies with the limitations of this Class A.1(b) of Part 6 of the GPDO, nor that a new agricultural building of this size and scale 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).

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.