

Application Number: P0481/20/AG

Case officer: Mr Ryan Morgan

THE PROPOSAL

Prior notification for the erection of a general purpose agricultural building.

CONSULTATIONS AND NOTIFICATIONS

Parish/Town Council

No objections.

Sustainability (Ecology)

Will not be commenting on the application.

Environmental Health

No objection.

Neighbour Representations

No representation(s) received at the time of writing.

POLICIES

National Planning Policy Framework (NPPF)

6. Building a strong, competitive economy

12. Achieving well-designed places

15. Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Design: process and tools

Natural environment

Core Strategy

CSP.1 - Design and environmental protection

CSP.7 - Economy

Allocations Plan

AP.4 - Design of Development

AP.7 - Biodiversity

EVALUATION

The following is considered relevant in the determination of this application:

- Compliance with Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015
- Siting and Design

Compliance with Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015

Agricultural and forestry

Class A - agricultural development on units of 5 hectares or more

Permitted development

A. 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.

Development not permitted

A.1 Development is not permitted by Class A if—

- (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 proposal complies as the parcel of land within the holding which the building is to be erected exceeds 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; **The proposal complies.**
- (c) it would consist of, or include, the erection, extension or alteration of a dwelling; **The proposal complies.**
- (d) it would involve the provision of a building, structure or works not designed for agricultural purposes; **The proposal complies as the building will be used for the storage of agricultural machinery and timber..**
- (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; or
 - (ii) any building erected or extended or altered by virtue of Class A, would exceed 1000 square metres, calculated as described in paragraph D.1(2)(a) of this Part; **The proposal complies as extension would bring the entire building to 450m².**
- (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; **The proposal complies as the building is over 3km from the nearest 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; **The proposal complies as the building is over 3km from the nearest aerodrome**
- (h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road; **The proposal complies as building would not lie within 25m of a Classified Road.**
 - (i) it would consist of, or include, the erection or construction of, or the carrying out of any 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 would lie within 400m of the Listed Buildings at Durbridge Mill and although stating in the application form that the building may potentially accommodate livestock, the applicant has since confirmed via email that the building will now not be used for the accommodation of livestock. The proposal therefore now complies.**

- (j) *it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or **The proposal complies.***
- (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 **The proposal complies.***
 - (ii) *is or would be within 400 metres of the curtilage of a protected building. **The proposal lies within 400m of the curtilage of a Listed Building, however, it would not be used for the above purpose and will therefore comply.***

Conditions

A.2—(1) Development is permitted by Class A subject to the following conditions—

- (a) *where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development are not used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this Part or for the storage of slurry or sewage sludge, for housing a biomass boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine; **The proposal lies within 400m of the curtilage of a Listed Building, however, it would not be used for the above purposes and will therefore comply.***
- (b) *where the development involves—*
 - (i) *the extraction of any mineral from the land (including removal from any disused railway embankment); or **The Proposal Complies.***
 - (ii) *the removal of any mineral from a mineral-working deposit, the mineral is not moved off the unit; **The Proposal Complies.***
- (c) *waste materials are not brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought are incorporated forthwith into the building or works in question. **The Proposal Complies.***

In respect of the above, the proposal for the erection of an agricultural building will comply with Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 , however the Siting and Design of the building will need to be considered.

Siting and Design

The applicant has submitted information regarding the siting and design of the building. The building would be 5m to the eaves and 8m to the ridge and would be a significant distance away from the nearest residential property. Its external finishes will consist of a mix of concrete block walls with mid-green timber cladding. The roof will consist of profiled steel sheeting, dark grey in colour.

Due to the scale, location and materials used in the construction of the building, the development is not considered to lead to a detrimental impact upon the visual amenity. Long views from certain viewpoints would be achievable, however, the harm introduced by the building would be mitigated by the colour of the materials used in the development and the substantial, tall natural screening surrounding the field.

Views from the nearby Listed Building would not be achievable as Durbridge Mill is set at a lower level than the agricultural building and the thick woodland on the northern boundary of the site providing ample screening.

RECOMMENDATION: APPROVAL

01. It is concluded that the proposals will comply with the limitations under Part 6, Class A of the Town and Country (General Permitted development) Order 2015. Therefore, it is considered that the proposal is permitted development and that planning permission is not required for the development.

NOTE

1. In accordance with the requirements of the National Planning Policy Framework, the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, made available detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding. In addition in order to secure sustainable development which will improve the economic, social and environmental conditions of the area negotiations have been undertaken to reduce the harm to the visual amenity by agreeing on a more appropriate colour for the roof.
2. I draw your attention to the conditions in Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015, that must be complied with.
3. Please notify the Local Planning Authority in writing within 7 days from the date on which the development is substantially completed.
4. It is not considered necessary that further information is required owing to the adequacy of the submitted details.