APPLICATION NUMBER: 20/01309/AGR

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01309/AGR	Rachel Carney	18 November 2020

Address: Bank Top Farm Hollingworth Road Littleborough OL15 0AU

Proposal: Prior approval for the erection of an agricultural building for the storage of agricultural produce and machinery

PUBLICITY	**Weekly list expired?**		**Site notice expired?**	
	Neighbour letters expired?		**Press Notice expired?**	

DELEGATION	**Significant departure from local plan?**		**Contrary to national policy?**	
	Applicant a Council Member or officer?		**Contrary to previous decision?**	
	Major with 10 or more objections and recommending approval?		**Called in or Planning Panel objection?**	

COMMENTS	**Planning Panel comments received?**	
	Neighbour comments received?	

EIA	**Screening opinion completed and saved to Onbase?**	

CONDITIONS	**Pre-commencement conditions proposed?**	
	Pre-commencement conditions agreed (or notification period expired)?	

RECOMMENDATION	**Prior Approval not required**

CHECKED AND SIGNED OFF BY: EH **DATE: 18 November 2020**

SITE

Bank Top Farm is a working farm which is located to the east of Hollingworth Road and which is accessed via a private track that runs north from Hollingworth Road.

The main farm site is comprised of a single dwelling (farmhouse), a domestic looking outbuilding/garage and two agricultural buildings, one of which is on the approach to the house to the south of the property and the other of which is to the east. The existing agricultural buildings are of timber and steel framed construction with breeze block and timber boarding and corrugated roofs.

PROPOSAL

The application seeks prior approval for a new agricultural building for the storage of agricultural produce and machinery. The building would be sited to the immediate south west (side) elevation of the existing agricultural building that is located to the south of the farm house and adjacent to the farm access. The new building would have a length of 9.3m and a depth of 9.2m with an eaves height of 3.7m and ridge height of 4.6m.

The building would be constructed upon a steel frame. The elevations would be clad with tantalised timber to the fascia's with a compressed cement profile sheet in grey colour, incorporating opaque roof light panels. Gates would be galvanised steel.

RELEVANT PLANNING POLICY

National Guidance

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

RELEVANT SITE HISTORY

04/D43102 – Erection of Agricultural Livestock Building – Approved
09/D51711 – Erection of Agricultural Building - Approved
11/D54382 - Application for Extensions to North and South Elevations of Existing Agricultural Building - Approved
14/01132/AGR - Proposed lean to extension to side of existing agricultural building - Refused
14/01366/FUL - Lean-to extension to side of existing agricultural building - Approved
15/00191/FUL - Extension to side of existing agricultural building (14/01366/FUL) - Approved
16/00738/FUL - Erection of agricultural building - Withdrawn
20/00712/AGR - Application for prior approval for the extension to the southern elevation of an existing agricultural building - Refused

CONSULTATION RESPONSES

N/A

REPRESENTATIONS

N/A

ANALYSIS

The application seeks prior approval for the erection of an agricultural building under Schedule 2 Part 6 Class A (Agricultural Development on Units of 5 Hectares or more) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Compliance under Part 6 Class A of the GPDO

In order to benefit from prior approval under Part 6 Class A, the proposed development must be carried out on agricultural land comprising an agricultural unit of 5 hectares or more in area, and must be reasonably necessary for purposes of agriculture.

Information submitted with the application states that the size of the agricultural unit held by the applicant is 14.5 hectares and the farming at the site includes the rearing of high quality beef cattle from a small suckler cow herd as well as circa 100 breeding ewes and a further flock of breeding lambs to produce lamb for sale at market.

The application states that the proposed agricultural building is required to accommodate the agricultural produce harvested upon the farm and for feed and bedding material purchased. It will also allow for the storage of agricultural machinery.

The application also states that the location at Bank Top Farm is particularly exposed and the elements particularly harsh with wind and rainfall making the storage of perishable feed and bedding materials particularly difficult. The existing buildings upon the farm are fully utilised as livestock housing for the cattle and as accommodation for sheep whilst they are lambing. Increased stock number during recent years have restricted the area available for the storage of feed and machinery and the building areas historically used for that purposes have been repurposed.

In light of the above submitted information it is considered that the proposed building is reasonably necessary for the purposes of agriculture.

To benefit from permitted development under Schedule 2, Part 6, Class A, there should also be an assurance that the development complies with the requirements of paragraph A.1. These are addressed in full below:

Under Part 6, Class A paragraph 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 size;

   The application form states that the parcel of land where the development would be located is more than 1 hectare in size and based on the information available to the Council this appears to be the case. It is considered that the development complies in this regard.

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;

   No part of the land edged red on the submitted Location Plan, has been subject to any such documented change of use under the above legislation.

c. it would consist of, or include, the erection, extension or alteration of a dwelling;

   The application does not propose any of the above.

d. it would involve the provision of a building, structure, or works not designated for agricultural purposes.

   It could be considered that the proposed building is reasonably necessary for the purposes of agriculture on the basis that it would provide storage for produce, feed and bedding materials as well as storage for agricultural machinery. The building would be agricultural in appearance and form.

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 Part 6.

The proposed ground area covered by the proposed building would be approximately 85.5 square metres. The area of the building therefore is below the maximum permitted 1000 square metres as described in paragraph D.1(2)(a).

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 extension would not be 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;

The extension would not be within 3 kilometres of an aerodrome. Nonetheless, the height of the building would not exceed 12 metres.

h. any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

The development would not be within 25 metres of a metalled road.

i. it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, or 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 proposed building would not be used for the accommodation of livestock or for the storage of slurry or sewage sludge.

j. It would involve excavation or engineering operations on or over article 2(4) land which are connected with fish farming.

The development would not be on or over article 2(4) land and is not 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

The development does not include provision for storing fuel for or waste from a biomass boiler or an anaerobic digestion system.

Further to the above the proposed development would comply with Schedule 2, Part 6, Class A of the GPDO and therefore benefits from the prior notification procedure.

Siting and Design

Under Part 6 Class A, the developer must apply to the LPA for a determination as to whether the prior approval of the LPA will be required for the siting, design and external appearance of the building.

In regards these matters the building would be sited immediately adjacent to the existing building, within an area of the existing farmyard that is already used for storage and which is not visible from the Hollingworth Road. Although detached from the existing buildings the development would appear similar to an extension to the

existing buildings with the height of the structure to match existing and the materials of construction also in keeping and appropriate for the agricultural setting.

With the above in mind it is considered that the development would appear as an acceptable addition to the site that would retain the built agricultural development within the existing farmyard area. This would appropriately protect the visual appearance of the site and its setting within the wider area, ensuring no undue visual impacts would arise as a result of the development.

RECOMMENDATION **Prior approval not required**

The proposed agricultural building, if implemented in accordance with the details shown on the submitted Location Plan and Site Plan (dated 11.10.20) and listed under question 4 of the submitted application form would be permitted development as set out under Class A of Schedule 2 Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Furthermore, the siting, design and external appearance of the building would be acceptable and as such, the prior approval of the Planning Authority is not required.

Notes for Applicant:

INFORMATIVE:

For the avoidance of doubt, this Decision Notice relates to the following plans and application form:

- Location Plan
- Site Plan – Dated 11.10.2020
- Agricultural Holding Plan
- Application form – Submitted 20.10.2020

Report Author Rachel Carney