

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

25/00182/AGR

CASE OFFICER

Majid Mir

DETERMINATION DATE 24.03.2025 **EXT OF TIME**

Address: Carr Farm Carr Lane Milnrow Rochdale OL16 3TS

Proposal: Application for prior approval for the erection of a portal steel frame hay store building

PUBLICITY	Weekly list expired?	N/A	Site notice expired?	N/A
	Neighbour letters expired?	N/A	Press Notice expired?	N/A

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

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: RG

DATE: 21 March 2025

SITE

The location plan and proposed site plan are inconsistent. The proposed site plan shows the site of the proposed building as outside the red edge shown in the location plan. The application site as shown in the location plan would be in the grounds of Carr Farm. The site of the proposed building is on the edge of cluster of buildings located within the site.

The application form states in regards to the site location that it is a 'farm raising cattle and producing own hay for winter feed'.

The site is designated as Green Belt under the adopted Places for Everyone Joint DPD.

PROPOSAL

The application seeks prior approval for the erection of an agricultural building to be used as a hay store. The application form adds that the proposed building would support the reduction non-recyclable plastic and improve profitability on the farm. The bales are presently are rapped and stored outside.

A location plan, proposed site plan and a sheet with precedents has been provided. No proposed elevations or proposed floor plans have been provided with the application. However, the application form includes a description of the proposed building. It states that the building would consist of:

- ☐ 18.2m x 12.1m steel frame coated in red oxide;
- ☐ 1.2m concrete panels to be painted forest green on lower section of the external elevation of proposed building;
- ☐ 4x1 hit and miss boarding cladding on upper section of the external elevation of proposed building.
- ☐ Three sides of the proposed building are to be enclosed, with one gable end to be open for access and gates.
- ☐ Green cement board sheets or steel sheets with a vented ridge for the roof of the proposed building;
- ☐ Concrete floor;
- ☐ Approximately 77 square metres of hardstanding to the entrance; and
- ☐ Tree planting area and hedgerows.

The application form states the proposed building will have a length of 18.2m, breadth of 12.1m, height to the eaves will be 3.6m, and the height to ridge will be 4.6m.

The application form states that the agricultural unit extends to 20.2 hectares, and that the parcel of land where the building is location is 'less than 1 but at least 0.4'ha.

The application form states that the native trees will also be used to manage rainwater run-off by slowing flow into nearby ditches.

RELEVANT PLANNING POLICY

National Legislation

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

Part 6, Class A of Schedule 2 relates to units of more than 5 hectares

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

RELEVANT SITE HISTORY

Carr Farm

88/D22486	Conversion Of Barn Into Dwellinghouse. Decision: Refuse.
94/D30563	Change Of Use And Conversion Of Barn To Form Dwelling Including Erection Of Single Storey Extension And Retrospective Application For Temporary Siting Of Mobile Home. Decision: Approved.
94/D30564	Alterations And Conversion Of Listed Building To Form Dwelling Including Erection Of Single Storey Extension. Decision: Approved.
98/D35822	Alterations And Extensions To Former Cottage To Form Dwelling And Detached Garage And Siting Of Temporary Mobile Home During Building Works. Decision: Approved.
98/D35823	Alterations And Extension To Former Listed Cottage To Form Dwelling And Detached Garage. Decision: Approved.
99/D36121	Revised Internal Alterations In Respect Of Proposed Conversion Of Barn To Dwelling. Decision: Grant Unconditionally.
06/D47993	Determination Of Prior Approval For The Erection Of Hay/Tracker Storage Building. Decision: Refuse. Reason for refusal: The Rochdale Metropolitan Borough Council hereby gives notice that this proposal does not have permitted rights under Part 6 of the Town and Country Planning (General Permitted Development) Order 1995.
06/D48255	Determination Of Prior Approval For The Erection Of Hay/Tractor Storage Building. Decision: Approved
07/D50169	Determination Of Prior Approval For The Erection Of An Open Fronted Tractor/ Implement Store. Decision: Refuse. Reason for refusal: The Rochdale Metropolitan Borough Council hereby gives notice that this proposal does not have permitted rights under

Part 6 of the Town and Country Planning (General Permitted Development) Order 1995.

- 08/D51556 Determination Of Prior Approval For The Erection Of New Cattle Shed.
Decision: Refuse. Reason for refusal:
- The Rochdale Metropolitan Borough Council hereby gives notice that this proposal does not have permitted rights under Part 6 of the Town & Country Planning (General Permitted Development) Order 1995.
- 08/D51613 Erection Of Agricultural Livestock Shed.
Decision: Approved.
- 09/D52667 Change Of Use And Alterations To Redundant Barn Including Single Storey Link Extension To Existing Dwelling, To Form Additional Living Accommodation.
Decision: Grant subject to conditions.
- 10/D53461 Application For Prior Approval Of Agricultural Development To Construct An Open Boarded Barn.
Decision: Approved.
- 24/00844/AGR Application for pror approval for the erection of a hay store.
Decision: Refuse. Reason for refusal:
- Insufficient information has been provided to demonstrate that the proposal would benefit from permitted development rights under Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as this requires any building erected to be reasonably necessary for the purposes of agriculture within that unit. The application has failed to demonstrate through the submission of appropriate evidence, the size of the holding and the size of the parcel of land where the development is located, and has failed to demonstrate that the development is reasonably necessary for the purposes of agriculture.

Lower Carr Farm

- 89/D24313 Change Of Use And Conversion Of Redundant Barn To Form Dwelling.
Decision: Refuse.
- 94/D31461 Change Of Use From Redundant Barn To Dwelling.
Decision: Refuse.
- 95/D31908 Change Of Use From Redundant Barn To Dwelling (Resub-Mission D31461).
Decision: Refuse.

CONSULTATION RESPONSES

Not applicable.

REPRESENTATIONS

There is no statutory requirement for the publicity of prior approval applications relating to agricultural development undertaken pursuant to Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Therefore, the application has not been publicised by the Local Planning Authority. No representations have been received.

ANALYSIS

Compliance under Part 6 Class A of the GPDO

Development is permitted under Class A for 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.

In order to benefit from prior notification process under Part 6 Class A, the proposed development must be carried out on agricultural land of not less than 5 hectares and the second test is that the building must be reasonably necessary for purposes of agriculture.

The application is supported by a location plan. The location plan has not identified the whole agricultural unit. Additionally, no elevations or supporting statement other than the statement in the application form has been provided. The application form states in regards to the site location that it is a 'farm raising cattle and producing own hay for winter feed'. The statement in the application form states that the proposed building would store hay and store bale handling equipment when not at capacity. The application form also states that the storage of hay in the proposed building would reduce the amount of non-recyclable plastic, reduce amount of imported hay and to improve profitability on the farm. The application form adds that 'at present the farm has suitable covered storage of hay for winter fodder and as such each year approximately 200 1.5m round bales need to be stored outside.'

No evidence or information has been provided to demonstrate the land is currently used for agricultural purposes however it is noted that within the vicinity of the site of the proposed building there are numerous buildings that would be commonly found on agricultural units and open land. Whilst the reasoned justification for the building would appear appropriate for the operation of an agricultural unit, evidence should be provided of its current use alongside greater clarity on the need for this size of building as any buildings developed under Class A must be of a size that is reasonably necessary for their agricultural purpose. On the basis of current information the LPA cannot be satisfied, at this time, that the proposal is reasonably necessary for the purposes of agriculture.

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 application form states that the unit is 20.2 ha. An incomplete location plan has been submitted. The location plan identifies an area of land that does not correlate with the siting shown on the proposed site plan ('Storage Barn and Associated Planting'). The red edge covers an area of 584 sqm and which appears to form part of a parcel comprising the main built and hard-surfaced

areas on the property. The proposed site plan however shows the building outside of this area within the open field included within the blue edge of the Location Plan. Whilst the site location plan appears to show the agricultural unit as a whole exceeds the 5ha requirement, the information submitted is unclear as to where the building would be situated, and subsequently which parcel of land within the agricultural unit it is sited.

- (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;

There is no planning evidence available that suggests an application for the change of use has been made under the above legislation within the a period of 10 years ending with the date on which development under Class A(a) begins.

- (c) it would consist of, or include, the erection, extension or alteration of a dwelling;

The application does not propose the erection, extension or alteration of a dwelling.

- (d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

As outlined above, insufficient evidence has been provided to demonstrate that the building is reasonably necessary 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.1(2)(a) of this Part;

The location plan and details shown on the proposed site plan ('Storage Barn and Associated Planting') are not consistent with one another. The application form states that the proposed building would be 18.2m in length and 12.1m in breadth. As such the proposed ground area covered by the extension would be 220.22 square metres. The plan also shows a hardstanding area by the entrance of the proposed building. The area covered by hardstanding is approximately 77 square metres. No further authorised development has been undertaken at the site as described in paragraph D.1(2)(a) within the last 2 years. The area of the building therefore falls below the maximum permitted 1500 square metres.

- (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 building 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 application form states the height to the ridge of the proposed building would be 4.6m. As such 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 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;

The proposed building as shown on the proposed site plan would be sited approximately 104m from the curtilage of the grade II listed building of Shippon at Carr Farm which is a residential dwelling. The application form states that the proposed building would be used to store hay bales and to store bale handling equipment, and has answered no to whether the building would house livestock, which would comply with this condition. However the application form is contradictory in that it also refers to access by livestock within the description of the building. It cannot be clearly confirmed from the submission that the building would not be used to accommodate livestock.

It is however noted that the location plan is inconsistent with the proposed site plan. The site of the proposed building appears to be outside the red edge.

- (j) it would involve excavations 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; or

The proposed building would be sited approximately 91m from the curtilage of the grade II listed building of Shippon at Carr Farm which is a residential dwelling. However, the stated uses would comply in this regard.

- (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 application does not propose the erection or extension of a building that is within the curtilage of a scheduled monument.

In light of the above, the proposal cannot be considered Permitted Development as defined under Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Inconsistent and incomplete plans have been provided to identify the size of the holding or the size of the parcel

of land on which the development is proposed and based on the information provided, it is not considered that the applicant has sufficiently demonstrated an agricultural need for the development.

To conclude, the application, based on current information, would not comply with Schedule 2, Part 6, Class A of the GPDO and cannot benefit 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. Nonetheless, as this application is not a valid submission under the prior notification process it is not considered appropriate to consider siting and design at this time.

RECOMMENDATION

The proposal does not benefit from permitted development rights under Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as this requires any building erected to be reasonably necessary for the purposes of agriculture within that unit. The application has failed to demonstrate through the submission of appropriate evidence, the size of the holding and the size of the parcel of land where the development is located, and has failed to demonstrate that the development is reasonably necessary for the purposes of agriculture.

Notes for Applicant:

INFORMATIVE:

1. Plans

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

- Location Plan
- Proposed Site Plan
- Application form

2. Inaccurate plans

The location plan and the proposed site plan are not consistent and do not accord with one another. With any future application, plans should be consistent with one another.