APPLICATION NUMBER: 21/00191/AGR

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
21/00191/AGR	Ryan Killeen	24 February 2021

Address: Copped Hill Farm Ashworth Road Heywood OL11 5UN

Proposal: Application for prior notification for the erection of a steel framed agricultural 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	**Contrary to national policy?**	N
	Applicant a Council Member or officer?	N	**Contrary to previous decision?**	N
	Major with 10 or more objections and recommending approval?	N	**Called in or Planning Panel objection?**	N

COMMENTS	**Planning Panel comments received?**	N/A
	Neighbour comments received?	N/A

EIA	**Screening opinion completed and saved to Onbase?**	N/A

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

RECOMMENDATION	PRIOR APPROVAL NOT REQUIRED

CHECKED AND SIGNED OFF BY: EH **DATE: 25 February 2021**

SITE

This application relates to an area of land immediately north of The Old Shippon, a former barn converted into a dwelling which is sited approximately 2.5 miles north of Heywood Town Centre at the top of the Ashworth Valley. The site lies just outside of the domestic curtilage and is accessed via an unadopted track 300m northeast of Ashworth Road and is surrounded by several parcels of open land. No details are provided as to the current use of the land, but aerial imagery indicates the storage of caravans.

PROPOSAL

The application proposes the erection of a 14m x 14m streel framed structure with a height to eaves of 4.6m and maximum height of 6.5m. It is to be constructed with concrete panels to 1.8m with Yorkshire boarding above and a cement fibre roof

RELEVANT PLANNING LEGISLATION

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

RELEVANT SITE HISTORY

21/00013/AGR Application of prior notification for the erection of a steel framed agricultural building

Refused 20/01/2021 for the following reason:

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) (GPDO) as Part 6, Class A of the GPDO 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 that the development is reasonably necessary for the purposes of agriculture. Furthermore, the application has failed to provide evidence that would satisfactorily conclude that the proposed building would be sited on a defined land parcel of 1 or more hectares.

CONSULTATION RESPONSES

N/A

REPRESENTATIONS

N/A

ANALYSIS

The application is for prior notification 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 notification process 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.

In light of the previous application failing to provide satisfactory evidence to conclude that the proposed building is for reasonably necessary for agricultural purposes, the applicant has provided details of cattle holdings, updated February 2021, in addition to the applicant's sheep inventory and details on the agricultural holding. In total details of 131 sheep and 36 cattle have been provided, with a total agricultural holding of almost 40 hectares.

The supporting statement outlines the need for the building to house feed and bedding for the farms expanding number of livestock. As such it could be 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:

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;

    Evidence has been provided to demonstrate that the size of the agricultural holding reference no. 44/623/0685 is 16.32 ha. Evidence has also been provided to demonstrate that the parcel of land marked for development is 1.93ha.

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 immediate curtilage 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.

    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; or
    ii. any building erected or extended or altered by virtue of class A,

    would exceed square 1000 metres, calculated as described in paragraph D.1(2)(a) of Part 6.

The proposed ground area covered by the extension would be 196 square metres and 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 1000 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 building 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 submitted information outlines that the extension is required for storage of feed and bedding; the proposed development therefore complies in this regard.

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.

Prior Approval Matters

Conditions in section A.2 of this class state that development under Class A is permitted subject to the determination of the Local Planning Authority as to whether Prior Approval is required as to the siting, design and external appearance of the property.

In assessing the siting, design and external appearance, Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to demonstrate high quality design. In addition, paragraphs 124 and 127 of the National Planning

Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The proposed siting of the agricultural building would be 320m from the nearest public highway, set in a sunken siting in relation to the surrounding land. As such, the proposal would have extremely limited visibility. Further to this, the proposed form of the building, with a maximum height of 6m, is considered to be appropriate for this siting and would not appear incongruous within its setting.

The application form has stated the proposed materials of construction to be Concrete base panel to 2 metres, the remainder of the elevation in Yorkshire Boarding, as such, would present itself as a distinctly agricultural building which would be typical of the area.

As such, it is considered that the proposal would accord with the policies contained within the Adopted Core Strategy and the National Planning Policy Framework, and as such, would not require prior approval.

RECOMMENDATION

Prior Approval Not Required

Notes for Applicant:

INFORMATIVE:

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

- TQRQM21038174556768 - Location Plan

Report Author Ryan Killeen