Agricultural Justification Statement

Proposal: Erection of Agricultural Building at Banktop Farm, Bank Top, Dilhorne, ST10 2PN

Mr Davenhall ▸ 7/14/2020

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INTRODUCTION

This statement is submitted in support of a prior notification application for the construction of an agricultural building on behalf of Mr Davenhall at Banktop Farm, Bank Top, Dilhorne.

This planning statement analyses the site and the context in which the application is made demonstrating that the holding unit is of sufficient size to qualify for permitted development rights under Part 6 Class A of the Town & Country Planning (General Permitted Development) (England) Order, 2015 (as amended) and that the proposed development is required to meet a real and genuine agricultural need. Thereafter this document assesses the proposed development against the relevant criteria for the erection of agricultural buildings on agricultural units of 5 hectares or more and concludes that the proposal amounts to permitted development. Finally the statement provides an assessment of the siting, design and external appearance of the proposed development as required by the aforementioned legislation before concluding that the prior approval of the Local Planning Authority should not be required.

APPLICATION SITE & ITS SETTING

Banktop Farm is an established agricultural holding which lies on the eastern side of Bank Top Road, Dilhorne. It comprises of a Grade II Listed Farmhouse with a fine 'L' shaped arrangement of two storey traditional outbuildings which have been converted into holiday accommodation. A number of other outbuildings currently in use as a workshop and store also form part of the building group.

The application site comprises of a broadly rectangular shaped parcel of land which forms part of a much larger part of agricultural land that lies to the north west of the building group.

The site occupies an isolated position and is surrounded on all sides by open countryside.

THE PROPOSED DEVELOPMENT

This is a prior notification application which seeks consent for the erection of a single span portal framed agricultural building. The proposed building which would be constructed from a steel portal frame would measure 18.3m long x 13.7m wide with an eaves height of 4.57m and an overall ridge height of 7.14m. The proposed building would be constructed from concrete panels clad with treated Yorkshire boarding under a box profile PVC coated steel sheeted roof. A large opening would be provided in the north western gable of the building. A hard standing area will be provided in front of the north western gable. Due to the topography of the site a small amount of cut and fill will be required in order to accommodate the development. The proposed building is shown on the submitted drawings numbered 2020-2516-01, 2020-2516-02A, 2020-2516-03A and 2020-2516-04.

KEY PLANNING ISSUES

This is a prior notification application for the erection of an agricultural building under Class A Part 6 Schedule 2 of the Town & Country General Permitted Development Order, (as amended). The submission has been made in order to determine whether or not the prior approval of the Council is required before the development can proceed in accordance with the provisions of the aforementioned legislation which permits the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more, works for the erection, extension or alteration of a building which are reasonably necessary for the purposes of agriculture within that unit subject to certain criteria being met.

In order to benefit from the above permitted development allowances two fundamental requirements must be met. Firstly the agricultural unit must be more than 5 hectares in size and secondly the building must be reasonably necessary for the purposes of agriculture within that unit. Both of these requirements are discussed below:-

Size of the Holding

Banktop Farm has been owned by Mr Davenhall for the past 30 years. The holding comprises of 16 acres of land all of which is owned.

Agricultural Justification

Banktop Farm is an established small holding and registered with DEFRA under CPH number 37/025/0234.

The proposed multi purpose building will house straw, hay, feed and machinery. The existing outbuildings on the holding are all currently in alternative uses with the large traditional two storey listed barn converted into holiday accommodation. This has allowed the applicant to diversify and following the success of this the applicant now intends to return to and concentrate on the farming enterprise but needs a secure and appropriate building to do so . Given the relatively isolated and exposed location of the holding the absence of any functional building is a significant constraint.

Whilst alternative sites have been considered for the proposed building it is considered that the application site is the preferred site given its intended use. Due to the arrangement of the buildings within the existing yard area and the sites listed building status this site has been chosen. Whilst the proposed building would be located outside the existing area of built development it would be located in a sensitive location and uses the physical features of its landscape in order to integrate it. Furthermore, the overall size and scale of the proposed building has been kept to that reasonably required to meet the identified needs of the holding and the setting it in to the bank side will ensure that any public views are minimised.

It is clear from the information provided above that the existing enterprise is an established agricultural holding and that the proposed building is reasonably necessary for the purposes of agriculture to ensure that the applicant can farm the land in an appropriate and sensitive manner whilst conserving and respecting the environment.

6.9 In order to show that the above scheme complies with the permitted development requirements each criteria is assessed against the proposal below. 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 area of land upon which the building is proposed clearly extends to more than 1 hectare (as evidenced by the submitted maps) and therefore meets this requirement.

(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 development under Class Q or S of Part 3 of this Schedule has been undertaken on the unit. The proposal therefore complies with this requirement.

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

- The proposed development is clearly for the erection of a general purpose agricultural building which is reflected in its form, design and materials. It does not consist of or include the erection, extension or alteration of a dwelling and therefore clearly meets this requirement.

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

- The size, scale, form, design and materials of the proposed building as described in this statement and shown on the accompanying plans has clearly been designed for agricultural purposes. The proposed development therefore meets this requirement.

(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 floor area of the proposed building would equate to 250.71 circa sq metres clearly substantially less than the 1000 square metres permitted. This criteria is therefore complied with.

(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 proposed development would not be within 3 kilometres of an aerodrome so this criteria does not apply.

(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 proposed agricultural building would have a resultant ridge height considerably less than the 12 metres permitted. This criteria is therefore complied with.

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

- The proposed agricultural building would be located significantly more than 25m from the adjacent highway and therefore clearly meets this criteria.

(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 is designed to be a multipurpose agricultural building primarily for the storage of straw, hay, feedstuffs and machinery. It will not be used for the housing of livestock or for the storage of slurry or sewage sludge. Notwithstanding this the curtilage of the closest protected building would be in excess of 400 metres away. The development therefore complies with this criteria.

(j) it would involve excavations or engineering operations on or over article 2(4)

land which are connected with fish farming; or

- The land is not article 2(4) land neither is the development connected with fish farming. The development therefore complies with this criteria.

(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 proposed building is not for the storing of fuel for or waste from a biomass boiler or an anaerobic digestion system. It is a multipurpose agricultural building and as such complies with this criteria.

6.10 As a consequence of the above considerations it is submitted that the proposed development accords with all of the relevant provisions of Class A Part 6 Schedule 2 of the General Permitted Development England Order, 2015 (as amended)(. In accordance with the Order we request that a determination as to whether the prior approval of the Local Planning Authority is required for the siting, design and external appearance of the building as required under paragraph A.2(a)(i) of the aforementioned act.

Siting

6.11 As stated above the proposed building will be located to the north west of the existing farm buildings. The application site is already served by an existing vehicular access and this therefore means that there would be no requirement for any associated engineering operations thereby reducing the harm to the visual amenity of the area. In addition the provision of a suitably sized building will allow the existing machinery/implements which are currently stored outside to be housed internally. Thereby resulting in a positive enhancement to the site. The proposed building will also be sited close to the existing built development which means that it will be read as a building group and seen against the back drop of the existing listed farmhouse and its curtilage buildings.

Design and External Appearance

6.13 The proposed building is commensurate in size and scale with the needs of the agricultural unit. The proposed building has been specifically designed for the purposes for which it is intended and utilises standard construction techniques and materials. The

use of Yorkshire Boarding is appropriate to its rural setting and will ensure that it is visual appearance is reduced.

7.0 CONCLUSION

7.1 Having regard to the aforementioned information it is considered that the proposal as submitted constitutes permitted development as it would fully accord with the provisions of Class Q of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended). The Local Planning Authority is therefore respectfully invited to confirm that their prior approval is not required in this instance.