

Development Management Delegated Decision Report

B/23/0135



SUMMARY OF APPLICATION			
Application Reference	B/23/0135		
Application Type	Prior Notification of Agricultural Development		
Proposal	Application under Schedule 2, Part 6 of The Town and Country Planning (General Permitted Development)(England) Order 2015 to determine if prior approval is required for a proposed Steel Framed Grain Store		
Location	Field at L G Maplethorpe LTD, North Forty Foot Bank, Holland Fen With Brothertoft, Lincoln LN4 4QD		
Applicant	Mr Edward Cawdron, L G Maplethorpe Ltd		
Agent	Peter Jackson, DCMS		
Received Date:	17-Apr-2023	Consultation / Publicity Expiry Date:	24-May-2023
Valid Date:	17-Apr-2023	Statutory Expiry Date:	15-May-2023
Date of Site Visit:	27-Apr-2023	Extension of Time Date:	25-May-2023
Objections received?			
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Prior approval refused		
Report by:	Emma Turvey		
Date:	10 th May 2012		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site consists of a working agricultural unit located in the countryside, 4 miles from the closest settlement of Amber Hill. The site contains many other agricultural buildings and is set in over 200 hectares. RAF Coningsby is located to the north-east of the application site.

DETAILS OF PROPOSAL:

This application has been submitted under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 6 to determine whether the erection of an extension to an existing open fronted agricultural store building requires prior approval.



The building proposed will measure 24.6m by 18.2m and will have a height of 6.7m to eaves and 9.4m to ridge.

RELEVANT HISTORY:

There is no relevant history on this site.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

CONSULTATION RESPONSES:

Brothertoft Parish Council have no objections to make.

Environmental Health have no objections to this application due to its isolated location in the countryside.

Lincolnshire County Council (Local Highway and Lead Local Flood Authority) does not wish to object to this planning application.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

The main consideration is whether the proposal is permitted development and whether or not prior approval is required for the siting, design and appearance of the proposed development.

The carrying out on agricultural land comprising 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. The following table sets out the parameters for permitted development;

Class A.1 - Development not permitted by Class A if –	Yes	No
(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectares in area;		X
(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit(as defined in Para 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;		X
(c) it would consist of, or include, the erection, extension or alteration of a		X

dwelling;		
(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;		X
(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 1,000 square metres calculated as described in Paragraph D.1(2)(a) of this Part;		X
(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;	X	
(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;		X
(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;		X
(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;		X
(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or		X
(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.		X

The proposal does not meet the criteria set out in Class A (f).

CONCLUSION:

As the application site falls within 3km of an aerodrome (RAF Coningsby and Whaley Farm Airstrip) and is proposed at a height of 9.4m, it exceeds the parameters set out in subparagraph (f) of the legislation within Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The site therefore does not benefit from the permitted development regulations and the proposal cannot be assessed through this prior approval application. Instead, full planning permission must be sought for the proposed erection of an agricultural storage building.

RECOMMENDATION

Refuse Prior Approval

The development would fail to satisfy A.1(f) set out in Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Therefore, prior approval is refused for this development and it would require planning permission.

INFORMATIVES / NOTES

TO BE INCLUDED ON/WITH DECISION NOTICE

<u>STATEMENT OF PROACTIVE WORKING:</u>
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In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.
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