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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | BT | | | | **Date:** | 15/10/2021 | **Manager:** | |  | | **Date:** |  |
| **Site Notice displayed** | N/A | **Photos uploaded** | | | | Y |  | | | | | | |
|  | | | | | | | | | | | | | |
| **Application Ref:** | | | 3/2021/0966 | | | | | |  | | | | |
| **Date Inspected:** | | | N/A | | | | | |
| **Officer:** | | | BT | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | **Decision** | | **REFUSAL** | | |
|  | | | | | | | | | | | | | |
| **Development Description:** | | | | | Proposed open-sided portal frame building with enclosed machinery store. | | | | | | | | |
| **Site Address/Location:** | | | | | Mill House, Chipping Road, Chaigley. BB7 3LS | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Parish/Town Council** | | | | | | | | |
| N/A | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | |
| N/A | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | **Additional Representations.** | | | | | | | | |
| None | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | |
| Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 | | | | | | | | | | | | | |
| **Relevant Planning History**  **3/2007/0786:**  Phase I. Construction of an agricultural livestock building (Approved)  **3/2007/0787:**  Phase II. Construction of an agricultural livestock building (Approved)  **3/2007/0788:**  Phase III. Construction of an agricultural livestock building (Approved)  **3/2008/0703:**  Proposed outline application for farm workers dwelling, including siting, with all other matters reserved (Refused)  **3/2009/0261:**  Re-submission of outline application for a farm workers dwelling, including siting with all other matters reserved (Refused)  **3/2009/0522:**  Construction of an agricultural livestock building (Phase 1) (Approved)  **3/2009/0523:**  Construction of an agricultural livestock building (Phase 2) (Approved)  **3/2009/0524:**  Construction of an agricultural livestock building (Phase 3) (Approved)  **3/2013/0840:**  Change of use of stone barn to four bedroom house (Approved)  **3/2014/0826:**  Change of use from Shippon to 4 bedroom detached house, replacement of concrete block boundary wall with natural dry stone wall (Refused)  **3/2015/1037:**  Demolition of existing shippon and construction of larger steel framed shippon with associated fences and gates (Approved)  **3/2016/0047:**  Demolition of single storey side extension and erection of two storey side extension to existing house (Approved)  **3/2021/0843:**  Prior notification for an open sided sheep shed with enclosed secure store for feed at one end (Refused) | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application relates to a farmstead in Chaigley. The proposal site contains a farmhouse property, converted barn and sheep shed. The proposed agricultural building is to be sited approximately 80 metres to the North-east of the farmhouse, barn and sheep shed. The proposal site falls within the Forest of Bowland AONB. | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  The application seeks a determination as to whether the prior approval of the local planning authority is required for the construction of an agricultural building. | | | | | | | | | | | | | |
| **Principle of Development:**  Other Matters:  The agricultural holding is 426.5 hectares in area. In order to be permitted development, the agricultural building needs to satisfy a number of criteria as comprised in Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015. The first of those requirements is that the development must be ‘reasonably necessary for the purposes of agriculture within that unit’. The proposed agricultural building would be used to house sheep, feed and machinery which is considered reasonably necessary for the purposes of agriculture.  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 proposal would be located on the main parcel of 10.8 Hectare land associated with Mill House Farm.**  (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;  **Development under Class Q or S of Part 3 (changes of use) has not been carried out within the last 10 years.**  (c) it would consist of, or include, the erection, extension or alteration of a dwelling;  **The proposal would not consist of or include 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;  **The proposal is for an agricultural building**  (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 ground area covered by the proposed agricultural building would measure 200 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 proposed agricultural building would not be within 3 Kilometres of the perimeter 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 highest part of the proposed agricultural building would be 4.4 metres**  (h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;  **The site for the proposed agricultural building is 80 metres from the nearest trunk road or classified road which in this instance is Chipping 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 agricultural building would be used for accommodating livestock and would be located approximately 85 metres away from the curtilages of protected buildings which in this instance are No. 2 and No. 4 Chaigley Farm Cottages**  (j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or  **The proposal would not involve excavations or engineering operations on or over article 2(4) land which are 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 proposed agricultural building would not be used for storing fuel for or waste from a biomass boiler or an anaerobic digestion system** | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  The proposal does not meet the criteria set out within Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as the proposed agricultural building would be within 400 metres of the curtilage of a protected building. Accordingly, prior approval is refused and a full planning application is required. | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | | Permission required. | | | | | | | | | |