|  |
| --- |
| **Report to be read in conjunction with the Decision Notice.** |
| **Signed:** | **Officer:** | WH | **Date:** | 11/04/23 | **Manager:** | **LH** | **Date:** | **13/4/23** |
|  |
| **Application Ref:** | 2022/0843 |  |
| **Date Inspected:** | N/A | **Site Notice:** | N/A |
| **Officer:** | Will Hopcroft |
| **DELEGATED ITEM FILE REPORT:**  | **Decision** | **Prior Approval Not Required** |
|  |
| **Development Description:** | Prior notification for five sections of proposed agricultural roads |
| **Site Address/Location:** | Land adj to Little Bowland Road, Chipping |
|  |
| **CONSULTATIONS:**  | **Parish/Town Council** |
| N/A |
|  |
| **CONSULTATIONS:**  | **Highways/Water Authority/Other Bodies** |
| N/A |
| **CONSULTATIONS:**  | **Additional Representations.** |
| N/A |
|  |
| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** |
| Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 and (Amendment) Order 2018  |
| **Relevant Planning History:****2020/1054:**Proposed concrete hard standing**2015/0951:**Roofing over existing sheep handling area and creation of new livestock housing |
|  |
| **ASSESSMENT OF PROPOSED DEVELOPMENT:** |
| **Site Description and Surrounding Area:**The site is comprised of a number of fields and parcels of agricultural land associated with the applicants agricultural holding. The holding in total covers 1301 acres – 200 of which are owned and 1101 of which are rented. The land use is largely pastureland although there are also areas of meadowland, serving 1000 sheep, 2000 lambs and 30 beef cows.  |
| **Proposed Development for which consent is sought:**The application seeks Prior Approval for 5no. sections of road within the holding:* Section A is 265m long and extends south/southeast from a set of agricultural buildings in the north of the holding.
* Section B is 125m long and extends south-west, connecting with an existing track just to the east of Little Bowland Road.
* Section C is curved, and extends 115m south/south-west off the previously mentioned existing track.
* Section D extends 49m east-west and connects 2 fields to the north-west of Clough Wood.
* Section E is curved, extends 41m south-west to north-east and also seeks to connect the same 2 fields as Section D.
 |
| **Whether or not permitted development**The scheme must satisfy a number of criteria as set out under Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended 2018). The first of those requirements is that the development must be ‘carried out on an agricultural unit of 5 hectares or more’ and be ‘reasonably necessary for the purposes of agriculture within that unit’. **The agricultural holding is 526 hectares in area. The proposal is for five sections of agricultural roads, which will aid in reduction of soil erosion and pollution.** **Accordingly, the proposed development is considered to be reasonably necessary for the purposes of agriculture in this instance.**Having regard to criteria a) – k), 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;**All proposed sections of the road sit in parcels that form part of the main holding and sit well over 1ha in area.** (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;**The proposed development does not consist of the erection or extension of any agricultural building.** (c) it would consist of, or include, the erection, extension or alteration of a dwelling;**The proposed development does not consist of the erection or extension of a dwelling.** (d) it would involve the provision of a building, structure or works not designed for agricultural purposes;**As outlined above the works are considered 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 1000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;**No ground area is covered by works or a structure for accommodating livestock, or plant/machinery arising from engineering operations.** (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;**No part of the proposed works exceed a height over 3m.** (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;**No part of the proposed works exceed a height over 12m.**(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;**Whilst Little Bowland Road is a classified C Road, no part of the works sit within 25m.**(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 works do not consist of 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.**(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or**This criterion is not relevant to the application.** (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.**This criterion is not relevant to the application.** **The proposal satisfies criteria a) – k) therefore is defined as permitted development** **Whether or not prior approval is needed**In accordance with condition A2 (2) (i) the Local Authority must determine whether prior approval is required as to the siting and means of construction of the private way. **Siting**The siting of the private ways is to be functional for the purposes of agriculture and are not in a visually prominent or comprising location. As such Prior Approval is not required in terms of siting. **Means of construction**The private way is to be constructed using broken brick/compacted limestone mot (type 2) which is deemed appropriate and commonly seen with private agricultural ways. It is noted that Section A crosses a water main following a review of United Utilities assets. Whilst this cannot be addressed within this prior approval application, the developer is encouraged to liaise with the appropriate resources at United Utilities to ensure all work is completed to the required standard and criteria United Utilities may require. Prior Approval is not required with regards to means of construction. |
| **Observations/Consideration of Matters Raised/Conclusion:**The proposal meets all of the criteria set out within Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015; therefore, prior approval is not required. The siting and means of construction would be acceptable for the reasons stated above. |
| **RECOMMENDATION**: | Prior Approval Not Required. |