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| **Report to be read in conjunction with the Decision Notice.** |
| **Signed:** | **Officer:** | LW | **Date:** | 09/12/24 | **Manager:** | **LH** | **Date:** | **10/12/24** |
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| **Application Ref:** | 3/2024/0952 |  |
| **Date Inspected:** | N/A | **Site Notice:** | N/A |
| **Officer:** | LW |
| **DELEGATED ITEM FILE REPORT:**  | **Decision** | **PERMISSION NOT REQUIRED** |
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| **Development Description:** | Prior notification for proposed agricultural tracks.  |
| **Site Address/Location:** | Knot Barn, Dinkling Green Lane, Chipping PR3 2QT |
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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.** |
| N/A |
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| **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:**3/2020/0392: Farm building for storage of manure and animal bedding Phase 2 (Approved). 3/2020/0393: Replacement of approved farm building design size with a new farm building design and addition of concrete yard area in front Phase 1 (Approved). 3/2002/0099: Proposed conversion of barn into agricultural workers dwelling with septic tank and erection of agricultural sheep building (Approved).  |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** |
| **Site Description and Surrounding Area:**The application relates to an agricultural field located to the west of Knot Barn and within the Forest of Bowland National Landscape, approximately 2km north-east of the defined settlement area of Chipping. A Public Right of Way passes through the site and the Knot Hill and Buckbanks Wood Biological Heritage Sites are located to the south and west respectively. An area of mature trees is also located to the south.  |
| **Proposed Development for which consent is sought:**The application seeks a determination as to whether the Council’s prior approval is required for the construction of 2no. new agricultural tracks. The tracks will be constructed from a brick base of hard-core, topped with local stone chippings.  |
| **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 248 hectares in area and the proposal is for the creation of 2no. agricultural tracks. The submitted supporting information states the proposed tracks would allow year-round access to the most northerly and easterly fields that form part of the holding. The route is uphill and therefore the tracks would make access easier and avoid damaging the grass crop and ground compaction. 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;**The proposed development would be carried out on a parcel of land which is greater than 1 hectare 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;**No development on the site has been carried out under Class Q or S of Part 3 of this schedule within the last 10 years.** (c) it would consist of, or include, the erection, extension or alteration of a dwelling;**The development does not include any works in relation to a dwelling.** (d) it would involve the provision of a building, structure or works not designed for agricultural purposes;**The proposal comprises an agricultural track which would facilitate an existing agricultural operation.** (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 would exceed 1,000 square metres: or(ii) any building erected or extended or altered by virtue of Class A, would exceed 1,500 square metres, calculated as described in paragraph D.1(2)(a) of this Part;**The proposed works would not include any of the above.** (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 building is not within 3km 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 proposal is for a flat track and as such, would not exceed 12m in height.** (h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;**The proposed development would not be within 25 metres of a metalled part of a trunk road or classified 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 proposal would not 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.** (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 proposal would not involve the construction of a building to be used for storing fuel for or waste from a biomass boiler or an anaerobic digestion system.** **The proposal satisfies criteria a) – k) and is therefore 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, design and external appearance of the proposal.**Siting**The proposed track would not be publicly visible and given the unobtrusive flat nature of the proposal; it is not considered that the proposed siting would result in any significant adverse impact upon the visual amenities of the surrounding area.It also not anticipated that the proposed track would result in any significant undue impact upon the nearby Public Right of Way, Biological Heritage Site, or mature trees. **As such Prior approval is not required in terms of siting.****Means of Construction** The proposed track would be constructed from a hardcore base and local stone chippings which is typical for a track of this nature. The design and appearance of the track is therefore considered to be suitable. **As such Prior approval is not required in terms of means of construction.** |
| **Observations/Consideration of Matters Raised/Conclusion:**The proposal complies with all the criteria set out within Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 and is therefore defined as permitted development. The design and siting of the proposal is also considered to be acceptable for the reasons stated above.  |
| **RECOMMENDATION**: | Prior Approval Not Required. |