



YEW TREE ASSOCIATES

LAND, TOWN PLANNING &
DEVELOPMENT CONSULTANTS

SUPPORTING STATEMENT

FOR

PRIOR APPROVAL

FOR THE ERECTION OF AN AGRICULTURAL BUILDING

UNDER

PART 6 OF THE TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT) (ENGLAND) ORDER 2015

AT

LAND AT MEADOW BANK FARM

SCOREBY LANE

SCOREBY

YORK

NORTH YORKSHIRE

23.2.21

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1.0 Introduction

1.1 This Statement accompanies an application for notification of prior approval of proposed erection of an agricultural building under Part 6 of The Town and Country Planning Act 1990 (As Amended) Town and Country Planning (General Permitted Development) (England) Order 2015 at land at Meadowbank Farm, Scoreby Lane, Scoreby, York, North Yorkshire

1.2 The proposed agricultural building is considered "permitted development" under Part 6 Class A of Schedule 2 of The Town and Country Planning Act 1990 (As Amended) Town and Country Planning (General Permitted Development) (England) Order 2015 being the carrying out on agricultural land comprised 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.

1.3 The application is submitted in accordance with Paragraph A.2 (2) (a) of the Order which sets out the procedures for applications for prior approval under Part 6. This requires that:-

- (i) The developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building
- (ii) The application must be accompanied by a written description of the proposed development and of the materials to be used and a plan indicating the site together with any fee required to be paid;

1.4 This information is included with this application.

The proposal is for the erection of an agricultural building on agricultural land comprising an agricultural unit of 42.1 hectares in area and measures some 33.58 x 27.43m with a pitched roof of a maximum in height of 6.86m to be constructed of C16 graded tanalised timber Yorkshire boarding and concrete panels reinforced corrugated natural grey fibre cement sheets. See drawings submitted with the application.

2.0 Requirements of Paragraph A1 to the 2015 Order

2.1 Development not permitted

A.1 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;

Comment

The development will not be carried out on a separate parcel of land forming part of the unit more than 1ha.

(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;

Comment

The development will not consist of the erection of an 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;

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

Comment

The development will 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;

Comment

The development will not involve the provision of a building, structure or works not designed for agricultural purposes;

(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;

Comment

The ground area covered by the building will be 921sqm.

(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;

(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;

Comment

The building is not within 3 kilometres of the perimeter of an aerodrome and will be 6.86 metres in height.

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

Comment

No part of the building will 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;

Comment

The building will not 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

Comment

The building will 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.

Comment

The building will not be used for storing fuel for or waste from a biomass boiler or an anaerobic digestion system.

3.0 Requirements of Paragraph A2 to the 2015 Order Conditions

A.2 (1) Development is permitted by Class A subject to the following conditions—

(a)where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development are not used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this Part or for the storage of slurry or sewage sludge, for housing a biomass boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine;

Comment

The development will be within 400 m of a protected building, but will not be used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this Part or for the storage of slurry or sewage sludge, for housing a biomass boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine.

(b)where the development involves—

(i)the extraction of any mineral from the land (including removal from any disused railway embankment); or

(ii)the removal of any mineral from a mineral-working deposit, the mineral is not moved off the unit;

Comment

The development will not involve the extraction of any mineral from the land (including removal from any disused railway embankment) or the removal of any mineral from a mineral-working deposit.

(c)waste materials are not brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought are incorporated forthwith into the building or works in question.

Comment

Noted

4.0 Conclusion

- 4.1 The application seeks prior approval for the erection of an agricultural building under Part 6 Class A of Schedule 2 of The Town and Country Planning Act 1990 (As Amended) Town and Country Planning (General Permitted Development) (England) Order 2015 being the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area. The proposal therefore meets the requirements of paragraphs A1 and A2 of the Order and is considered to be permitted development.

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