

Application Number: 2022/23714/PNAG

Proposal: Application for prior approval for additional agricultural storage

Site Address: Agricultural Building, Moffinber Farm, Westhouse, Ingleton, Carnforth, LA6 3NL

On behalf of: Messrs DB & RM Willison

Date Valid: 31st January 2022

Expiry Date: 27th February 2022

EOT Date, if applicable:

Case Officer: Ros Parker

SUMMARY

The is a prior notification application for the significant extension of an agricultural building.

Prior approval is required, and a site notice has been displayed.

The proposed extension complies with the requirements of Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018. There is not considered to be an adverse visual impact on the landscape.

It is recommended that prior approval is granted, with conditions.

1. Site Description
 - 1.1 The application site relates to land to the north of an existing agricultural storage building at the farmyard at Moffinber Farm. The farm is located south of the A65 between Westhouse and Ireby.
2. Proposal
 - 2.1 The applicant is seeking to extend the existing agricultural storage building, to provide additional space for livestock, fodder and agricultural machinery.
 - 2.2 The building will be extended to the north side. The proposed extension will match the length of the existing building, with a width of approximately 4.6m. The roof will extend downwards in a continuous line from the existing roof, terminating at 2.7m above ground level at the eaves.
 - 2.3 The proposed materials are to match existing, ie. 2m high concrete panels with timber Yorkshire boarding above to the elevations, and a dark blue



cement fibre sheeting, with 4 no. roof lights. The extension will be gated at each end.

3. Planning History

- 3.1 68/2013/13513 - Steel portal framed agricultural building for storage of machinery, fodder etc – Prior notification approved 03.06.2013
- 3.2 68/2014/15316 - Replace an existing agricultural building. Prior approval not required 20.01.2015
- 3.3 68/2015/15858 - Proposed conversion of detached barn to one dwelling and cobbled forecourt to be relaid and walled. (Prior Approval Application). Application returned.
- 3.4 68/2015/15995 - Conversion of barn to residential accommodation. Approved 21.09.2015

Officer Note: The converted barn is located at the farmyard, approximately 12m from the site of the proposed extension. The dwelling was not approved as an agricultural worker's dwelling, but is occupied by the applicants, Mr and Mrs Wilson.

- 3.5 68/2015/16347 - Application to discharge condition no's 3 and 4 of original planning permission referenced 68/2015/15995. Approved 10.12.2015

4. Planning Policy Background

- 4.1 Schedule 2, Part 6, of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018.

Class A – Agricultural development on units of 5 hectares or more

5. Parish/Town Council Comments

- 5.1 Not applicable

6. Consultations

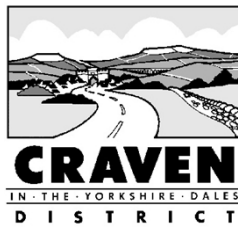
- 6.1 Not applicable

7. Representations

- 7.1 Site notice expired 08.03.2022
- 7.2 No press notice required
- 7.3 No letters of notification required
- 7.4 No letters of representation received during the publicity period

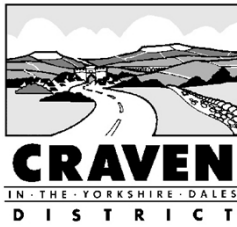
8. Summary of Principal Planning Issues

- 8.1 Whether the proposed works are permitted development under Schedule 2, Part 6, of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018.

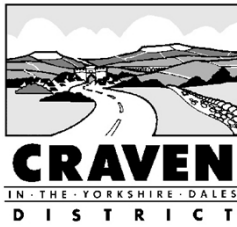


9. Analysis

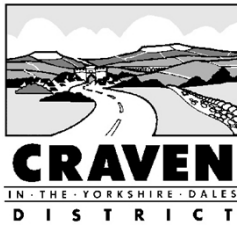
Development not permitted if:	YES	NO
Is the proposal one of the types of development that is classed as Permitted Development under Class A?	Yes	
Which type of development under Class A?		
Is the proposal on agricultural land?	Yes	
Is the agricultural unit more than 5 hectares?	Yes	
Is the proposal reasonably necessary for the purposes of agriculture?	Yes	
The proposal is for the extension of an existing building for livestock and the storage of fodder and agricultural machinery. The application indicates its use for multiple purposes associated with agriculture.		
A1 Development 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 hectares in area;		No
Is the development located on a separate parcel of land which is equal to or less than 1 hectares in area?		
(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;		No
(c) it would consist of, or include, the erection, extension or alteration of a dwelling;		No
Would the development be breach these criteria?		
(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;		No
Would the development be used for these purposes or breach these criteria?		
(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;		No
Officer Note: The agricultural buildings erected by virtue of Class A were both completed at least 2 years before the submission of this application.		
Would the development be used for these purposes or breach these criteria?		
(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
Would the development breach these criteria?		
(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
Would the development breach these criteria?		
(h) any part of the development would be within 25 metres of a metalled part of a trunk road		No



<p>or classified road;</p> <p>Would the development breach these criteria?</p>		
<p>(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;</p> <p>Officer Note: There is a dwellinghouse approximately 60 metres north-east of the site. This is not occupied in connection with agriculture, but is within the agricultural unit and is owned by the applicants (the farmers) and rented out. As it is within the agricultural unit, it falls outside the definition of a protected building, as set out in part D.1.</p> <p>Would the development be used for these purposes or breach these criteria?</p>		No
<p>(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or</p> <p>Would the development be used for these purposes or breach these criteria?</p>		No
<p>(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—</p> <p>(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.</p> <p>Would the development be used for these purposes or breach these criteria?</p>		No
<p>A.2 – Conditions</p>	<p>Relevant to this proposal? To be added to decision notice?</p>	
<p>(1) Development is permitted by Class A subject to the following conditions—</p> <p>(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;</p> <p>(b) where the development involves—</p> <p>(i) the extraction of any mineral from the land (including</p>	<p>Part 1 does not apply</p>	



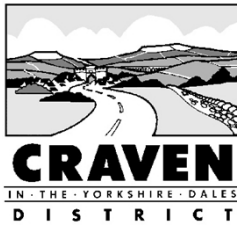
<p>removal from any disused railway embankment); or (ii) the removal of any mineral from a mineral-working deposit, the mineral is not moved off the unit;</p> <p>(c) waste materials are not brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought are incorporated forthwith into the building or works in question.</p>	
<p>(2) Subject to sub-paragraph (3), development consisting of—</p> <p>(a) the erection, extension or alteration of a building;</p> <p>(b) the formation or alteration of a private way;</p> <p>(c) the carrying out of excavations or the deposit of waste material (where the relevant area, as defined in paragraph D.1(4) of this Part, exceeds 0.5 hectares); or</p> <p>(d) the placing or assembly of a tank in any waters, is permitted by Class A subject to the following conditions—</p> <p style="padding-left: 40px;">(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, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;</p> <p style="padding-left: 40px;">(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;</p> <p style="padding-left: 40px;">(iii) the development must not begin before the occurrence of one of the following—</p> <p>(aa) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;</p> <p>(bb) where the local planning authority give the applicant notice within 28 days following the date of receiving the applicant's application of their determination that such prior approval is</p>	<p>Prior approval is required as the extension is a "significant extension" as defined by Part 3 below.</p> <p>A site notice was erected which expired on 08.03.2022. No representations were received during the publicity period.</p> <p>Sufficient details have been received to enable a formal assessment to be undertaken in relation to the design and appearance of the building.</p> <p>If prior approval is granted, the time limit condition will apply from the date of approval.</p>



<p>required, the giving of such approval; or</p> <p>(cc) the expiry of 28 days following the date on which the application under sub- paragraph (2)(ii) was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;</p> <p>(iv) where the local planning authority give the applicant notice that such prior approval is required, the applicant must— (aa) display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant; and</p> <p>(bb) where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in sub-paragraph (iv)(aa) has elapsed, the applicant is treated as having complied with the requirements of that sub-paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;</p> <p>(v) the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—</p> <p>(aa) where prior approval is required, in accordance with the details approved;</p> <p>(bb) where prior approval is not required, in accordance with the details submitted with the application; and</p> <p>(vi) the development must be carried out—</p> <p>(aa) where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given;</p> <p>(bb) in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (d)(ii).</p>	
<p>(3) The conditions in sub-paragraph (2) do not apply to the extension or alteration of a building if the building is not on article 2(4) land except in the case of a significant extension or a significant alteration. A “significant extension” means any extension of the building where the cubic content of the original building would be exceeded by more</p>	<p>The building is a significant extension, and the requirement for prior approval therefore applies.</p>



<p>than 10% or the height of the building as extended or altered would exceed the height of the original building;</p>	
<p>(4) Development consisting of the significant extension or the significant alteration of a building may only be carried out once by virtue of Class A(a).</p>	<p>The building has not been previously extended.</p>
<p>(5) Where development consists of works for the erection, significant extension or significant alteration of a building and—</p> <p>(a) the use of the building or extension for the purposes of agriculture within the unit permanently ceases within 10 years from the date on which the development was substantially completed; and</p> <p>(b) planning permission has not been granted on an application, or has not been deemed to be granted under Part 3 of the Act, for development for purposes other than agriculture, within 3 years from the date on which the use of the building or extension for the purposes of agriculture within the unit permanently ceased,</p> <p>then, unless the local planning authority have otherwise agreed in writing, the building or, in the case of development consisting of an extension, the extension, must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer.</p>	<p>This class applies, and therefore these conditions will be applied.</p>
<p>(6) Where an appeal has been made, under the Act, in relation to an application for development described in sub-paragraph (5)(b), within the period described in that paragraph, that period is extended until the appeal is finally determined or withdrawn</p>	<p>N/A</p>
<p>(7) Where development is permitted by Class A(a), within 7 days of the date on which the development is substantially completed, the developer must notify the local planning authority in writing of that fact.</p>	<p>This condition applies.</p>
<p>Officer summary / comments:</p>	
<p>The proposed development is for the extension of an agricultural building, it is reasonably necessary for agricultural purposes and is in accordance with Schedule 2, Part 6; Class A of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018.</p> <p>The development is within the parameters set out for permitted development and therefore would be permitted development subject to conditions 2, 5 and 7. The works must be undertaken in accordance with the details submitted as part of this notification.</p> <p>As indicated above, this Council can only consider issues relating to the siting, design and the external appearance of the proposed store. Upon the determination of such applications, local planning authorities need to consider the effect of the development on the landscape in terms of visual amenity and the desirability, for</p>	



instance, of preserving the setting of ancient monuments, listed buildings and sites of recognized nature conservation value. Long term conservation objectives may often be served by ensuring that rural economic activity is able to function efficiently.

Sufficient details have been provided to enable an assessment to be undertaken. The proposed development is designed for the purposes of agriculture in accordance with the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018 and the external appearance of the building, which includes the use of materials which are sympathetic to the existing building and its rural setting, will not undermine/harm the character of the countryside. It is considered the proposal would assimilate within the farmyard and landscape and will not have a significant adverse impact on the environment. Therefore, in this case, prior approval is granted.

Recommendation: Prior approval is granted. Conditions (see A2) to be included on decision notice.

Conclusion
Prior approval is granted. Conditions (see A2) to be included on decision notice

10. Recommendation

10.1 Prior Approval Granted

Conditions

- 1 The development hereby approved must be carried out within 5 years beginning with the date of this permission.

Reason: To comply with the requirements of Schedule 2, Part 6, of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018.

- 2 The granting of prior approval relates to the following plans and documents:

- Drawing No. A - Site location plan. Received 31st January 2022
- Drawing No. B - Site plan no. B (agricultural holding plan). Received 31st January 2022
- Drawing No. C - Proposed elevations and plan of the lean-to extension. Received 31st January 2022
- Design and Access Statement. Received 31st January 2022

The development shall be carried out in complete accordance with the approved drawings.

Reason: To comply with the requirements of Schedule 2, Part 6, of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018.



- 3 Within 7 days of the date on which the development is substantially completed, the developer must notify the local planning authority in writing of that fact.

Reason: To comply with the requirements of Schedule 2, Part 6, of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018.

- 4 Where

(a) the use of the extension for the purposes of agriculture within the unit permanently ceases within 10 years from the date on which the development was substantially completed; and

(b) planning permission has not been granted on an application, or has not been deemed to be granted under Part 3 of the Act, for development for purposes other than agriculture, within 3 years from the date on which the use of the building or extension for the purposes of agriculture within the unit permanently ceased,

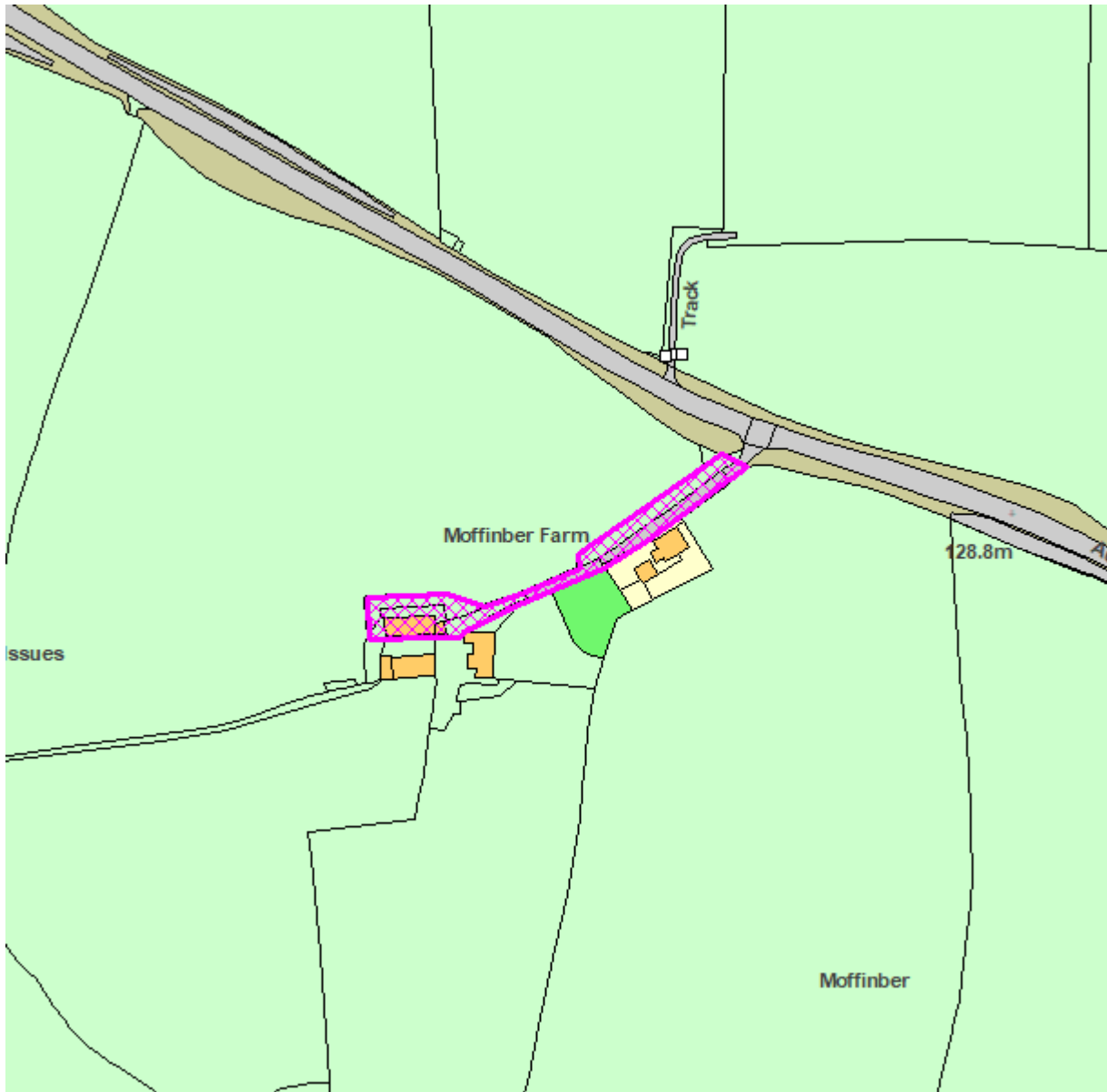
then, unless the local planning authority have otherwise agreed in writing, the extension must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer.

Reason: To comply with the requirements of Schedule 2, Part 6, of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018.

Informatives

1. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.



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