

Delegated Planning Report

LOCATION: Broom Close Farm, Langthorpe, York, North Yorkshire, YO51 9DD

PROPOSAL: Pig finishing building

REFERENCE: ZC23/01757/PNA

DIVISION: Wathvale & Bishop Monkton

RECOMMENDATION:

Target Determination Date:	Conservation Area:
TPO:	Listed Building:

OFFICER REPORT

Broom Close Farm is an established farm, comprising of predominantly of arable land for grain and a small amount of pasture for the farms pig herd located south off Skelton Road. The unit compromises of roughly 172.33 acres of agricultural land with 150 acres of tenanted land. This application is for a pig finishing building.

MAIN ISSUES

1. Is the proposal Permitted Development under Part 6, Class A (agricultural development on units of 5 hectares of more) of the GPDO?
2. Siting and Design

RELEVANT SITE HISTORY

23/00390/PNA Extension to existing range of agricultural buildings for general farm use and storage of straw based manure
PANR - 17.02.2023

ZC23/01569/PNA A portal frame extension to an existing grain storage building.
PANR - 25.05.2023

ASSESSMENT OF MAIN ISSUES

1. Does the proposal fall under Part 6, Class A (agricultural development on units of 5 hectares of more) of the GDPO?

Permission is sought under the Town and Country Planning (General Permitted Development Order) Schedule 2, PART 6 'Agricultural and forestry', Class A - agricultural development on units of 5 hectares or more.

Permitted Development under Part 6 only covers developments which are reasonably necessary for agriculture. This is an established farming enterprise and it is considered that by submitting the application the applicant has determined that this is the case. Should this not be the case then the permitted development rights set out below do not apply.

A. 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.

The holding is in excess of 5 hectares.

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;

Development is not being carried out on a separate parcel of land of less than 1 hectare.

(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;

Not applicable.

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

The proposal 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;

The building is considered to be designed for agricultural purposes. The building will be used a pig finishing 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 total area of the development is 908 square metres. This includes the area added under 23/00390/PNA and ZC23/01569/PNA.

(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 site 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 height to the ridge will be 4.15 metres

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

The proposed building is not within 25m 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 proposed 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

Not applicable.

(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

Not applicable.

With the above considered, the proposal falls under permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2

'Permitted Development Rights', Part 6 'Agricultural and forestry' Class A - agricultural development on units of 5 hectares or more.

2. Siting and Design

The proposed grain store will not be located in a sensitive location. In terms of the siting, the building is well positioned as it will have a limited impact on visual amenity. The building will be constructed green GRP cladding with a fibre cement roof sheeting and ventilation fans in anthracite grey. Overall the building demonstrates good design, siting and appearance and will not be visible from public view.

CONCLUSION:

It has been demonstrated that the proposed grain store would be reasonably required for the purposes of agriculture and the unit. The siting, design and external appearance would not detrimentally affect the landscape character or visual amenity of the area. The proposal would meet the requirements of the General Permitted Development Order. Prior approval is therefore not required.

That the application be Prior approval not required

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