

Dover Council Offices
White Cliffs Business Park
Whitfield
Dover
CT16 3PJ

Date: 6 November 2023

Our Ref: M22/0803

Your Ref:

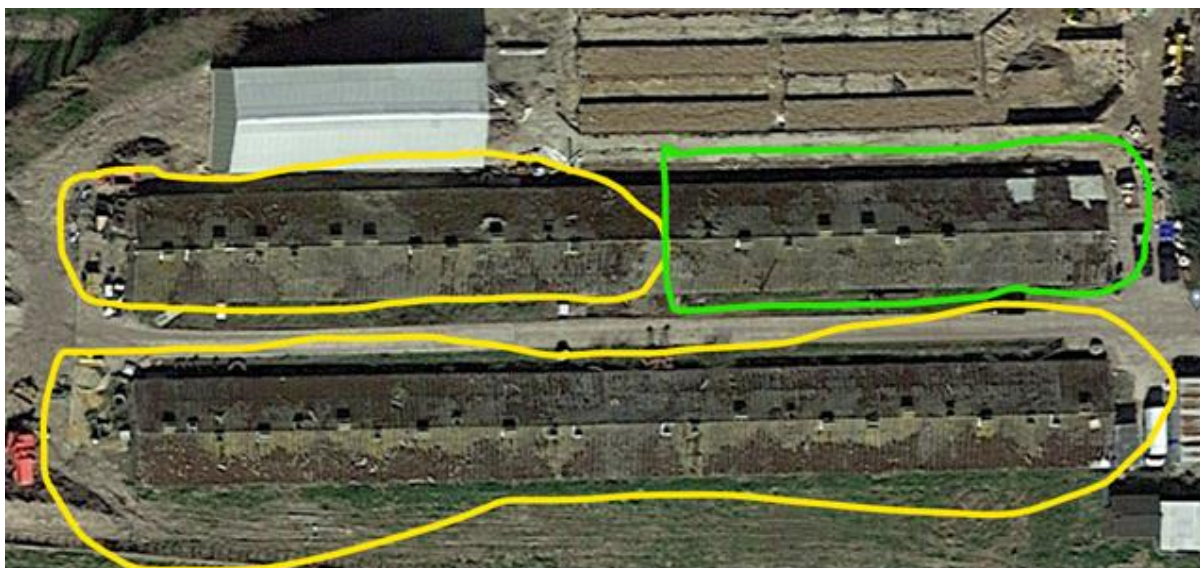
Dear Sir / Madam,

RE: Prior Approval Notification for new agricultural building at Durlock Bridge Farm, Durlock Road, Staple, CT3 1JU

With reference to the above site please find attached a prior approval notification for the erection of a new general purpose agricultural building at the above site.

The site was formerly a poultry farm and has a number of redundant poultry buildings that due to their design and low roof height are not suitable for general purpose agricultural use. It is proposed that approximately 2000m² of the existing buildings will be demolished and a new building of 992m² erected in their place.

The buildings shown yellow below are to be demolished with the green element of one poultry shed retained and repurposed for a ventilated beef shed. The new building will also be used to house the straw bales for this.



The farm has expanded recently with a further 11.8 acres rented as well as the existing 9.8 acres owned bringing it to a total of 21.3 acres (8.6 hectares).

The applicant also runs an agricultural contracting service from the farm and has a large amount of machinery associated with that. The current list is attached to the application. The farm has also recently purchased a combine harvester that needs to be kept under cover.

A further expansion of the unit is the creation of 1300 square metres of beds for vegetable growing (Google Earth image below), an area of the new shed will be allocated to storage of materials, as well as the storage of produce.

There are no formal sale contracts in place as this is the first planting season, the plan is to use local outlets, pubs, and restaurants. Veg boxes will be sold in outlets in season as will fruit boxes.



Another area of 190 orchard trees has also been planted which is also shown below. The fruit from here will need storage. A spreadsheet detailing the proposed 2024 planting is attached with the application.



Turning to the legislative requirements relating to the prior approval:

Part 6 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 permits agricultural development on units of 5 hectares or more subject to certain provisions being complied with and the submission of a prior approval notification to the local planning authority.

Permitted development

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.*

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 land parcel in question is over 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;

Comment - I can confirm that no development under Class Q or S has been carried out on the unit within the last 10 years.

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

Comment - The proposal does not consist of any of the above.

(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

Comment - The building is designed purely for 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 1,000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;

Comment - The ground area of the building does not exceed 1000 square metres.

(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;

Comment - The building is not within 3 km of an aerodrome, the nearest being Mansfield 4km away.

(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 height of the building will not exceed 12 metres.

(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 development will be within 25m of a trunk 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 is not 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
(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

Development consisting of—

- (a) the erection, extension or alteration of a building;
(b) the formation or alteration of a private way;
is permitted by Class A subject to the following conditions—

(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;

(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;

This application is accompanied by drawings showing the location of the new building and elevations and floor plans the proposed building, the siting has been made to ensure the visual impact of the building is minimised. It will be sited on land that has historically been used for poultry raising but that use has now ceased, although the old buildings remain.

To conclude, the building is genuinely required for agriculture in connection with “agricultural land” land which, before development permitted by this part is carried out, is land in use for agriculture and which is so used for the purposes of a trade or business.

Accordingly, we would be grateful if the local planning authority will accept our application for prior approval and notify us of its decision in due course.

If any further information is required for the purposes of determining this application, please do not hesitate to contact me.

Yours faithfully

Jonathan Lee

Jonathan Lee BA (Hons) DipTP MRTPI Assoc RICS
Associate Director
For and On Behalf Of
TETLOWKING PLANNING

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Enc.