

**AGRICULTURAL PRIOR  
NOTIFICATION  
FOR AN AGRICULTURAL STORAGE  
BUILDING**

**AT**

**TILEKILN FARM  
ALBURY  
WARE  
SG11 2HP**



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## **1.0 INTRODUCTION**

- 1.1 This application is made under Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and proposes the construction of an agricultural storage building at Tilekiln Farm, Albury.
- 1.2 Tilekiln Farm is located approximately 0.5 miles west of Little Hadham and approximately 2.5 miles west of the edge of Bishop's Stortford. The farm is accessed from the A120 through Albury, approximately 220 metres from the access to the new A120 bypass.

## **2.0 PROPOSAL**

- 2.1 Tilekiln Farm extends to some 141 acres and has been farmed for many years by the applicant for hay and straw production. The applicant uses three separate farms, although this farm is the main storage facility. One barn on a nearby rented farm is to be lost in the coming months, resulting in a pressing need for additional storage, and this main farmyard is the most appropriate location in order to minimise vehicular movements.
- 2.2 The proposed new building is of typical utilitarian construction comprising a steel portal frame with green profile steel sheet cladding to the sides and grey profiled cladding to the roof. The lower part of the building will comprise concrete panels. Two roller shutter doors and two personnel doors are proposed in the east elevation.
- 2.3 The building will measure 30 metres in depth and 30 metres in width with a footprint of 900 square metres. It will comprise a gable pitched roof with an eaves height of 8 metres and a ridge height of 12 metres. The building has been designed at this height in order to allow for stacking storage, enabled via a forklift, making the most of the volume of the building.
- 2.4 The siting of the grain store has been dictated by the functionality of the building, ground levels and landscape and siting it amongst an existing building and in close



proximity to the existing farm track. It is also necessary to distance the proposed building 400 metres from the nearby listed building at the old redundant farmyard. The building will be located on existing arable land but will not result in a significant loss of agricultural land.

- 2.5 A concrete apron is proposed to the front of the building with sufficient space for the turning and maneuvering of articulated lorries.
- 2.6 Officers will note that there is an existing agricultural storage building on site that was granted full planning permission in 2016. This building is now at capacity and additional storage provision is required. Full justification for the new building is set out below.

### **3.0 PERMITTED DEVELOPMENT**

- 3.1 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) details rights for agricultural development under permitted development. Part 6, Class A is related to agricultural development for units of 5 hectares or more.
- 3.2 Development is permitted under Class A if it is to be carried out on an agricultural unit of 5 hectares or more, and involves the erection, extension or alteration of a building or excavation or engineering works that is reasonably necessary for the purposes of agriculture.
- 3.3 This application proposes the construction of a new building for hay and straw storage, which is reasonably necessary for the purposes of agriculture, and is to be carried out on a unit larger than 5 hectares. Although there is an existing storage building on site, constructed in 2016 pursuant to permission 3/17/0041/FUL, this building is no longer of sufficient capacity to accommodate hay and straw from the entire holding. This is partly due to an increase in yields resulting from crop production and modern farming techniques but primarily due to the loss of the building at Great Hornead, currently rented by the applicant.



- 3.4 The applicant also needs to store the hay and straw for 6 months from harvest to sale to take advantage of the most advantageous market conditions. In addition, during this time period the applicant needs to ensure the product is stored at appropriate moisture and ventilation levels, and the proposed new building will ensure this whilst adhering to the storage requirements. There is insufficient space within the existing building to store the dry forage and straw.
- 3.5 There are a number of specific restrictions to development under Class A, and these are addressed below in turn:
- (a) the development would not be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare;
  - (b) no applications under Part 3, Class Q or Class S have been carried out within a period of 10 years ending with the date on which development under Class A (a) begins;
  - (c) the proposal does not consist of, or include, the erection, extension or alteration of a dwelling;
  - (d) it would not involve the provision of a building, structure or works not designed for agricultural purposes;
  - (e) the ground area of the building would not exceed 1000 square metres, calculated as described in paragraph D.1.(2)(a);
  - (f) the site is not located within 3 kilometres of the perimeter of an aerodrome;
  - (g) the height of the building will not exceed 12 metres;
  - (h) no part of the development would be within 25 metres of a metalled part of a trunk road or classified road;
  - (i) the proposal would not 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.

(j) it would not involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; and

(k) the building will not be used for storing fuel for or waste from a biomass boiler or an anaerobic digestion system and is not within 400 metres of the curtilage of a protected building.

- 3.6 Development under Part 6, Class A is also subject to a number of conditions, including a requirement to apply for prior approval for the siting and external appearance of any new building. In terms of determining whether prior approval should be required, the only relevant Government advice is that remaining in Annex E of PPG7. Annex E does in fact remain extant as it was adopted separately to PPG7 and therefore not replaced by PPS7 or subsequently the NPPF.
- 3.7 Paragraph E15 of Annex E states that *“provided all the General Permitted Development Order requirements are met, the principle of whether the development should be permitted is not for consideration, and only in cases where the local planning authority considers that a specific proposal is likely to have a significant impact on its surroundings would the Secretary of State consider it necessary for the authority to require the formal submission of details for approval.”*
- 3.8 Paragraph E16 of Annex E goes on to remind local authorities that full regard should be had to the operational needs of the agricultural industry in determining whether prior approval should be required, and that long term conservation objectives will often be served best by ensuring that economic activity is able to function successfully.
- 3.9 The test is therefore one of ‘significant impact on surroundings’. In this case, whilst accepted that the building is large, it will be located to the side of an existing agricultural building and will not appear prominent from any public viewpoints, on the contrary it is well hidden by the bunding left by the construction of the new A120 bypass. The



building is located away from the public highway and there are no public rights of way within the vicinity of the site. There are few residential properties in the vicinity, the nearest being 600 metres away in Albury End, other than the old farmhouse at Tilekiln Farm but even this sits almost 400 metres away, with the existing agricultural building being closer.

- 3.10 It is therefore considered that the building will have no *significant* impact on the landscape or local environment, and therefore prior approval should not be deemed to be required. Further, Annex E reminds us that when determining whether prior approval should be required, full regard should be had to the operational needs of the agricultural industry and ensuring that economic activity is able to function successfully. In this case the new storage facility is essential to the agricultural needs of the holding due to the loss of the building in Great Hornead. Ultimately it would be more efficient and economical to consolidate the farming enterprise to enable additional storage on site, whilst reducing traffic movements both on site and on local roads.

#### **4.0 CONCLUSION**

- 4.1 It is considered for the reasons set out above that the building proposed by this application is permitted under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore prior approval should not be required.