

7<sup>th</sup> January 2020

Development Management  
South Northamptonshire District Council  
The Forum  
Moat Lane  
Towcester  
NN12 6AD

Dear Sir

**Land at Manor Farm, Passenham Road, Passenham  
Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2,  
Part 6 – Application for Prior Notification of proposed Agricultural Development**

We are instructed by The Parks Trust to apply for prior notification for an agricultural building at Manor Farm, Passenham under the terms of Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. We have today submitted an application via the planning portal (reference PP-08360449) for the above development.

The application comprises the following documents:

- Prior Notification application forms, duly completed;
- This letter;
- Site Location Plan, drawing no. 18-23-01 rev B;
- Parks Trust farm land plan (1:12500);
- Proposed Site Plan, drawing no. 18-23-02 rev D;
- Proposed Elevations, drawing no. 18-23-06 rev C; and
- The application fee (£96.00).

Please provide confirmation of receipt of the application and fee in due course.

### **Site location**

Manor Farm is owned by The Parks Trust. The agricultural land area extends to 990 acres with roughly equal proportions of Grade 2 and 3 classifications. The site for the proposed agricultural building is located to the north-west of Passenham and is bounded by Passenham Road to the south and the A422 to the west. The land is generally level and has an existing field access onto Passenham Road. The site is located outside the Passenham Conservation Area boundary.

## Background

In August 2019, an application for prior approval for an agricultural building was submitted to SNDC and was registered under reference S/2019/1645/AGD. The application was refused on 13<sup>th</sup> September 2019 for the following reason:

‘1. The proposed development does not comply with all the relevant provisions of Class B of Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015. In particular, the application fails to justify that ‘the works are reasonably necessary for the purposes of agriculture within that unit’.

The decision notice contained an informative which stated:

‘1. Further to above the Council has concern that the building is not suitable for the proposed stated use, would be detrimental to the character of the open countryside and would have a detrimental impact on the nearby heritage assets.’

## Current proposal

This application has been prepared to overcome the reason for refusal of application S/2019/1645/AGD. The supporting information within this letter also seeks to address the matters raised in the informative and from third party representations on the application.

The building would be set back from the highway and would be a rectangular shape measuring 42 metres x 23.2 metres with a pitched roof measuring a maximum of 7.4 metres to the ridge. In accordance with the 2018 amendment to the GPDO the size of the building would not exceed 1000 square metres. It would be constructed with concrete panels at the lower level with Yorkshire boarding above and a grey profiled metal roof. The building would be accessed from the existing field access on Passenham Road.

## Whether the works are permitted development

The building would be used as a store for machinery, equipment and hay. There are existing buildings at Manor Farm but these are small scale buildings which are not suitable for modern farming due to their size and design. The proposal would provide much needed storage for the farm in a permanent and modern building which will be suitable for the needs of the farm. The building is therefore reasonably required for the purposes of agriculture within the unit.

The proposed development falls under Schedule 2 Part 6 of the General Permitted Development Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018 as the site is part of a unit of more than 5 hectares.

In the context of criteria set out at Class A (agricultural development on units of 5 hectares or more) the following should be noted:

- 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 in area;
- b) it would not consist of the erection or extension of any agricultural building on an established agricultural unit where development under Class Q or S of Part 3 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 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 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 not exceed 1000 square metres;
- f) no part of any building, structure or works would be within 3 kilometres of the perimeter 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 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) 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 within 400 metres of the curtilage of a protected building but would not be used for the accommodation of livestock or for the storage of slurry or sewage sludge;
- j) it would not involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or
- k) it would not be a building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system.

The delegated report for S/2019/1645/AGD states that the proposal does not meet all the criteria of Class A and therefore does not qualify as permitted development. The report sets out a list of information which is required to demonstrate that the development complies with all of the criteria of Class A. This list of required information and our client's response is set out below:

1. The total number of buildings on the agricultural unit and their overall floorspace

There are five existing buildings on the agricultural unit at Manor Farm and the total floorspace of these buildings is 1606 square metres.

2. The use of the existing buildings on the agricultural unit and why they are not suitable to store machinery etc.

The existing buildings at Manor Farm comprise of a mix of traditional and dilapidated utilitarian structures. There are no modern buildings on the agricultural unit. The agricultural use of the existing buildings has not changed, but they are no longer suitable for modern farming and are in urgent need of replacement. The cost of repairing the buildings would be prohibitive due to the age of the structures. Even if the buildings could be repaired, they would still be unsuitable for modern farming due to their size and design (please refer to site photographs attached at **Appendix 1**). The buildings are too small and do not have sufficient roof height to accommodate modern farming equipment and machinery. Therefore there is an essential need for a modern agricultural building on the agricultural unit in order for the farm to continue to operate.

3. The details of the machinery that is needed to be stored in the building

The building would be used to store loaders and associated equipment to move hay and straw including tractors, mowers, rakes, swathers, feeder wagons, rollers, and bale trailers.

4. The justification for the overall requirement for the building to be 974 square metres.

The size of the proposed building at 974 square metres is designed to meet the specific needs of the farm. The size of the building is modest when considered against the size of the farm (990 acres). The footprint of the proposed building is smaller than the footprint of the existing buildings at Manor Farm (1606sqm) and therefore it is considered that there is sufficient justification for the size of the building.

With regard to criteria i) of Class A the applicant can confirm (as with the previous application) that the building would not be used for the accommodation of livestock or slurry or sludge. The number of openings on the building, internal subdivisions and isolation areas have all been removed from the proposal for the avoidance of doubt.

The above information is provided to address all of the queries raised in the delegated report relating to Class A. The proposal meets the criteria set out in Class A and therefore the application proposal constitutes permitted development.

**Other matters to address from delegated report**

The delegated report for S/2019/1645/AGD concluded that the proposal did not constitute permitted development. The report also provided commentary on 'further areas of concern' relating to the siting and design of the proposed building. These matters are set out as an 'informative' in the decision notice, rather than forming a reason for refusal. Our response to the officer's comments on siting and design are set out below.

*Siting*

The proposed building would be sited on a level field with landscaped boundaries and has been selected as the optimum location taking into account practical considerations (the building would be on the same side of the road as most of the farm land – please refer to The Parks Trust farm land map), conservation area setting, archaeological constraints, vehicle access, and distance from neighbouring properties. The proposed building is purposely sited separately from the existing farm buildings to reduce noise, smells and agricultural traffic through the village, and create distance between the building and the conservation area boundary. Siting the building on the north side of the road also increases the distance from the flood zone.

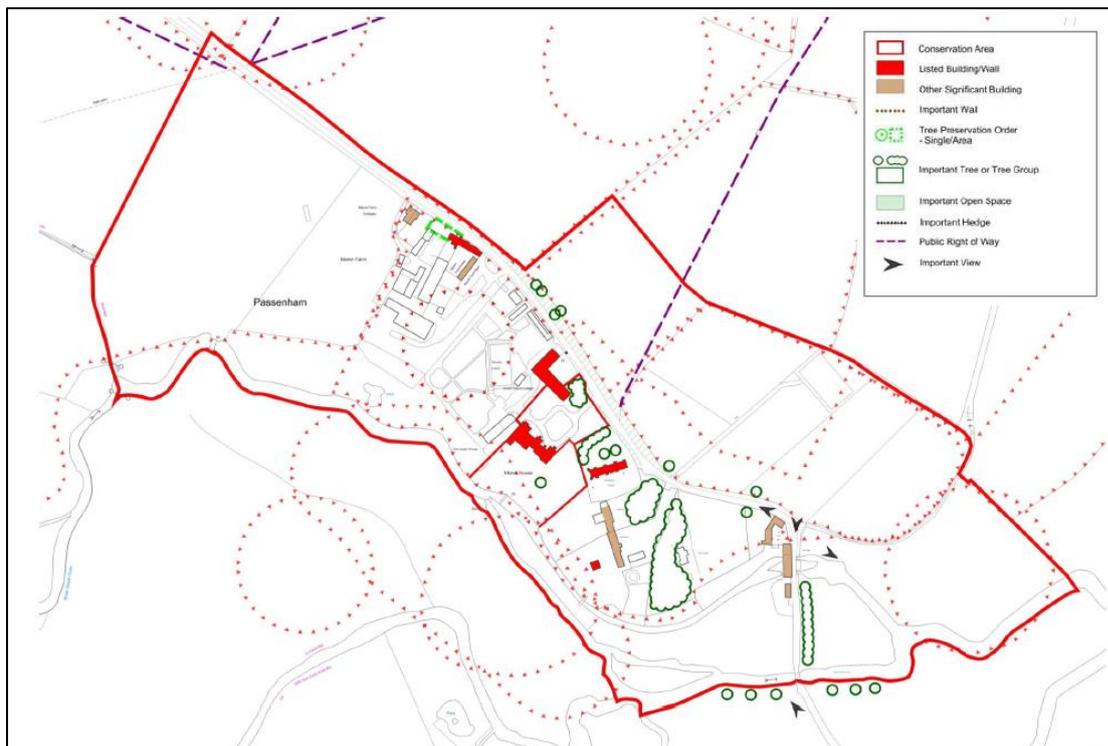
Land to the south side of the road closer to the existing farm is unsuitable as it is within the Conservation Area boundary, has archaeological constraints (presence of ridge and furrow), a public footpath across the land, and no vehicle access.

It is not possible to extend or repair the existing buildings. They comprise of a series of five separate buildings with limited footprints and heights which has already resulted in damage being caused to some of the buildings from farm machinery (please refer to site photographs). The cost of repairing the buildings would be prohibitive due to the age of the structures, and extensions would not achieve the type and size of building required for modern farming.

The applicant contends the officer's comments that the need for hay storage at the farm is limited. The existing provision of hay storage at Manor Farm is inadequate due to the size of the buildings and inability to access with modern equipment, and the farmer currently has to rent additional storage. The farmer is also increasing hay and straw storage in order to fulfil their biodiversity and conservation ambitions and obligations. Therefore the need for hay storage at the farm is justified.

The delegated report raises concerns regarding the suitability of the existing access to the field. The existing access is on the same side of the highway as the majority of the farm land at Manor Farm. The existing access is preferable to the existing access to Manor Farm, as this is a dedicated farm access and is not shared with any residential properties. The use of the existing access is also considered to be preferable in terms of reducing traffic into the village.

The building would fall within the 1000 square metre limit for agricultural permitted development. The farm building would be visible from surrounding public footpaths however agricultural buildings are a common feature in rural landscapes and it is considered the scale and position of the development would not be harmful to the visual amenities of the area. The Passenham Conservation Area Appraisal describes Passenham as an agricultural settlement. The site is outside the boundary of the Conservation Area and the proposed development would not impact on any of the identified important views within the Conservation Area Appraisal, as set out in the map below. The building would be obscured in views from the listed church due to the distance between the sites and the extensive tree planting along the north-east side of the highway which restricts wider views of the countryside towards the north-west of the settlement where the proposed building would be sited.



*Important Spatial Features in Passenham Conservation Area*

### *Design*

The design of the building has been amended in this application to overcome the concerns raised in the previous proposal that the building would be unsuitable for machinery and hay storage. The side gates, internal partitions and isolation area have been removed to create a one large structure without subdivision of the floor space.

The concerns raised regarding security at the farm are not a material planning consideration. It is the applicant's responsibility to deal with security of the proposed building, and the risk has been minimised by reducing the number of external openings on the building and locking the access gate.

### **Conclusion**

This application seeks confirmation from the Local Planning Authority that the proposed development benefits from permitted development and does not require planning permission. All of the queries and concerns raised in the previous application (by officers and in third party representations) regarding the existing facilities at Manor Farm, the siting and design of the proposed building, the proposed use and justification for the size of the building, heritage matters and highways concerns have been addressed in this resubmission.

I trust that the details of this application are now satisfactory and look forward to receiving confirmation within 28 days that further details are not required. Should you require any further information or have any queries on this proposal please do not hesitate to contact me.

Yours sincerely

A solid black rectangular box used to redact the signature of Jennie Harris.

**Jennie Harris**  
Principal Planner

Appendix 1 – Manor Farm site photographs