

APPLICATION FOR PRIOR NOTIFICATION - AGRICULTURAL CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2025/09581
APPLICATION TYPE:	Prior notification: Building
SITE ADDRESS:	Upper Bearfield Farm, Ashley Road, Bradford on Avon, BA15 1RT
DEVELOPMENT DESCRIPTION:	Roofing of open loafing yard to extend existing portal framed building.
RECOMMENDATION:	That Prior Approval is not required

SITE CONTEXT

The site comprises a portion of the central workers yard at the farmstead of Upper Bearfield Farm – a 224-hectare dairy farm. The farmstead is located off Ashley Road, just beyond the northwestern periphery of Bradford on Avon.

The site is immediately surrounded by large agricultural buildings. Its wider farmstead setting comprises multiple medium-to-large modern agricultural barns which extend to the west and several agricultural workers dwellings to the east, closer to Ashley Road. The northern aspect of the farmstead is bounded by a tree belt which expands to a small woodland towards the northwestern aspect of the farmstead.

PROPOSAL

The proposal seeks prior approval for an extension to the existing modern agricultural barn in the form of a standard open-sided portal framed addition, effectively a large pitch roof canopy. The structure is circa 19.5m long by 18.3m wide and stands circa 4.9m high at the eaves and 7.9m at the ridge. In terms of materials, the structure is formed of a steel portal frame with an anthracite fibre cement roof.

As stated on the Application Form, the development is required to help the farm meet its slurry storage requirements under current environmental regulations. For clarification, the building will not be used for the storage of slurry. Rather, it will help reduce the generation of run off by covering an area of the open yard.

RELEVANT PLANNING HISTORY

Part 6, Class A permitted development rights are restricted where Part 3, Classes Q or S rights have been exercised on the agricultural unit within the last 10 years. As such, the planning records set out below relate to the wider farmstead.

Relevant Planning Records			
Reference	Description	Decision	Date
W/91/01459/FUL	Relocation of existing farmyard	Approved	04/02/1992
W/93/01313/FUL	Slurry store and cattle store/general purpose agricultural building	Approved	13/12/1993

W/94/00597/OUT	Farm dwelling	Approved	27/06/1995
W/94/01398/FUL	Farm workshop building generator unit	Approved	19/12/1994
W/95/00747/FUL	Temporary permission for mobile home until new dwelling is built	Approved	15/08/1995
W/95/00867/REM	Farmhouse	Approved	12/09/1995
W/98/09013/AGD	Grain storage bins	Approved	08/06/1998
W/01/00983/FUL	1 building for animal housing and storage and 1 building for the storage of animal feed raw materials	Approved	30/08/2001
W/02/00891/OUT	Erection of one dwelling	Approved	11/03/2003
W/02/01696/FUL	Erection of one dwelling	Approved	11/03/2003
W/08/00447/FUL	Erection of an agricultural portal framed building for the purpose of feed storage and calf accommodation	Approved	20/05/2008
W/09/00025/OUT	Outline application for erection of one agricultural dwelling house (all matters reserved)	Refused	03/03/2009
W/10/00990/FUL	Erection of an agricultural workers dwelling house and associated works	Withdrawn	05/07/2010
W/10/03443/FUL	Erection of one detached agricultural workers dwelling house	Refused	03/02/2011
14/00775/OUT	Outline permission for a single agricultural workers dwelling	Withdrawn	03/04/2014
15/02604/OUT	Agricultural dwelling for a farm employee	Approved	18/06/2015
15/11683/REM	Agricultural dwelling for a farm employee	Approved	19/02/2016
17/01378/FUL	New agricultural portal framed building for the storage of straw and hay for animal feeding and bedding.	Approved	28/06/2017
18/00557/106	Modify a planning obligation that currently curtails the erection of further agricultural workers dwellings.	Approved	07/11/2018
PL/2023/05243	Extension to Appleton Barn to provide farm offices.	Approved	11/04/2024

A review of the above records confirms that the agricultural unit maintains its Part 6, Class A permitted development rights.

RELEVANT LEGISLATION, POLICY AND GUIDANCE

This application is assessed under Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), henceforth referred to as the 'Order', which grants planning permission for certain types of development described in Schedule 2 (Permitted development rights) of the Order. The grant of permission is subject to the qualifying criteria and conditions set out within the relevant Classes of permitted development.

Under Schedule 2, Part 6 (Agricultural and forestry), Class A (agricultural development on units of 5 hectares or more) of the Order, certain types of agricultural development may be permitted, including:

- The erection, extension, or alteration of a building;
- The formation or alteration of a private way;
- Excavations or the deposit of waste material (where the relevant area exceeds 0.5 hectares);
- The placing or assembly of a tank in any waters.

Where such development is proposed, the developer is required to apply to the local planning authority for a determination as to whether prior approval is necessary. This prior approval process is limited in scope and relates only to the following matters:

- 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;
- The siting and appearance of the tank.

ASSESSMENT

Does the Proposal Qualify as Permitted Development?

In order to qualify as Permitted Development, the proposal must comply with the criteria of Schedule 2, Part 6, Class A, section A.1 of the Order. An assessment of the proposal in relation to section A.1 is set out in the checklist at Appendix 1 of this report.

Having regard to this assessment, it is concluded that the proposal qualifies with all relevant criteria of section A.1. The proposal therefore constitutes permitted development, subject to the conditions in section A.2, including the determination as to whether prior approval is required in respect of, in this case, the siting, design and external appearance of the building.

Is Prior Approval Required?

Siting: Having regard to the site context as described above, the proposed building would be situated in a visually enclosed workers yard, surrounded by large agricultural buildings with additional built form beyond to the east and west and a mature tree belt/small woodland to the north and northwest.

In this capacity, the proposal would be largely hidden and/or screened from any potential public views, including those from Ashley Road to the east and public footpaths BRAD2 and BRAD3 to the north. Where it is possible to glimpse the central yard from the public realm, it would be seen in the context of the multiple modern large agricultural barns. Consequently, it is considered that the siting of the building does not require Prior Approval.

Design and external appearance: The footprint of the structure matches that width of the barn which it adjoins and the means of enclosure around the part of the yard to which it relates.

Its pitched roof form and height similarly reflects that of the building it adjoins and therefore it would read as a proportionate addition. The steel frame structure and fibre cement roof covering reflects the materiality of the adjoining and proximate large modern agricultural barns and is therefore appropriate. Consequently, it is considered that the design and external appearance of the building does not require Prior Approval.

CONCLUSION

The proposed development has been assessed against the qualifying criteria and conditions of Schedule 2, Part 6, Class A of the Order. Based on the submitted plans, supporting information, and the findings of this report, it is concluded that the proposal complies with the criteria for permitted development, and therefore falls within the scope of Class A.

As such, the local planning authority has considered whether Prior Approval is required in relation to the siting, design, and external appearance of the development. In this case, it is concluded that Prior Approval is not required, and the development may proceed in accordance with the submitted details.

RECOMMENDATION: That Prior Approval is not required.

APPENDIX 1 – PERMITTED DEVELOPMENT CHECKLIST

	Permitted Development	Yes / No
A	Does the proposal involve the carrying out, on agricultural land forming part of an agricultural unit of 5 hectares or more, of either: (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?	Yes – the proposal relates to an agricultural unit of 5ha+. Yes – the proposal relates to the extension of a building. Yes – the proposal is reasonably necessary for the purposes of agriculture (business case summarised in the Assessment section above).
Criteria (A.1) – Development not permitted by Class A:		
(a)	Is the development proposed to be carried out on a separate parcel of land forming part of the agricultural unit that is less than 1 hectare in area?	No.
(b)	Would the development consist of the erection or extension of any agricultural building on an established agricultural unit where development under Class Q or Class S of Part 3 (changes of use) has been carried out within the last 10 years?	No.
(c)	Would the development consist of, or include, the erection, extension, or alteration of a dwelling?	No.
(d)	Would it involve the provision of a building, structure or works not designed for agricultural purposes?	No.
(e)(i)	Would the ground area covered by any works or structures (excluding fences) for accommodating livestock or plant/machinery arising from engineering operations exceed 1,000 square metres, taken together with any other building/structure etc constructed in the proceeding 2 years and situated within 90m?	No.
(e)(ii)	Would the ground area of any building erected, extended, or altered under Class A exceed 1,500 square metres, taken together with any other building/structure etc constructed in the proceeding 2 years and situated within 90m?	No.

(f)	Is any part of the proposed building, structure, or works within 3 kilometres of the perimeter of an aerodrome and would exceed 3 metres in height?	No.
(g)	Is any part of the proposed building, structure, or works not within 3 kilometres of an aerodrome and would exceed 12 metres in height?	No.
(h)	Would any part of the development be within 25 metres of a metalled part of a trunk road or classified road?	No.
(i)	Would the development consist of, or include, the erection or construction of, or works to, a building, structure, or excavation used or intended for the accommodation of livestock or storage of slurry/sewage sludge, and be within 400 metres of the curtilage of a protected building?	No.
(j)	Would the development involve excavations or engineering operations on or over article 2(4) land that are connected with fish farming?	No.
(k)(i)	Would any building for storing fuel for or waste from a biomass boiler or anaerobic digestion system be used for storing waste not produced by that system or fuel not produced on land within the unit and be within 400 metres of the curtilage of a protected building?	No.
(k)(ii)	Would any building for storing fuel for or waste from a biomass boiler or anaerobic digestion system and be within 400 metres of the curtilage of a protected building?	No.
(l)	Would the erection or extension of a building be carried out on land or a building that is, or is within the curtilage of, a scheduled monument?	No.