

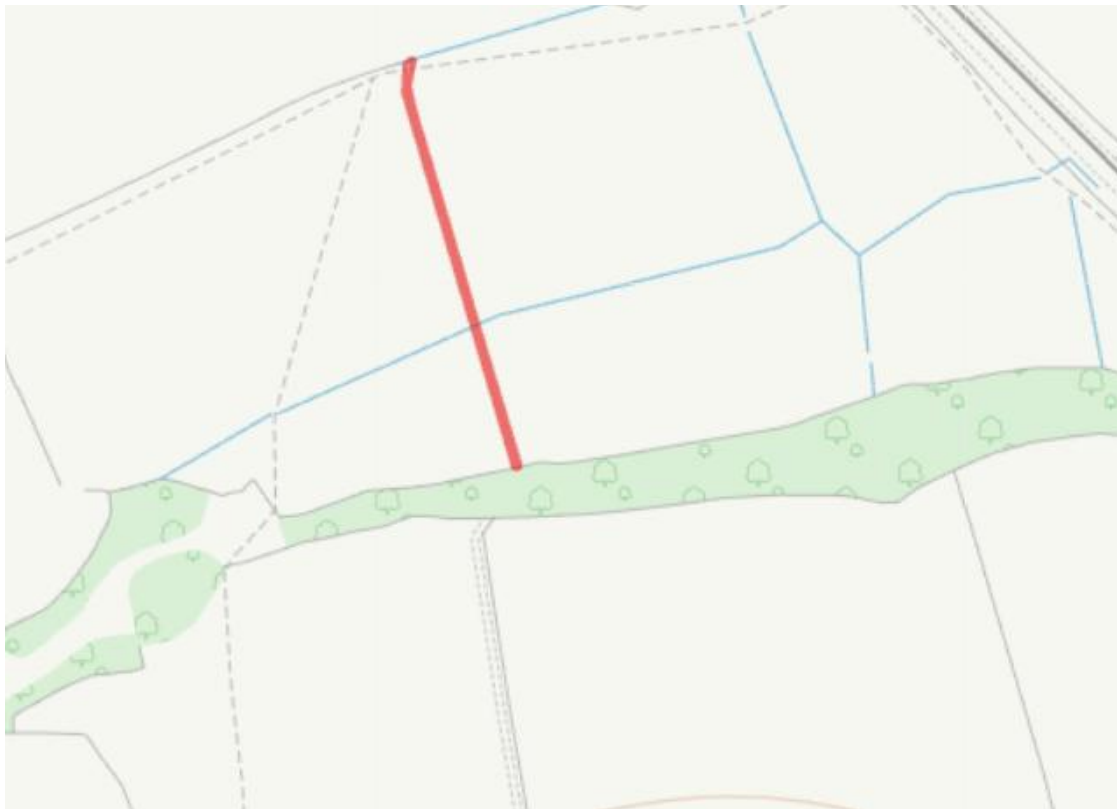
APPLICATION FOR PRIOR NOTIFICATION – PART 3

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/01027
APPLICATION TYPE:	Prior notification: Road (agricultural/forestry)
SITE ADDRESS:	Oakwood Farm, Upper Minety, Malmesbury, SN16 9PY
DEVELOPMENT DESCRIPTION:	Proposed livestock & machinery track
RECOMMENDATION:	That Prior Approval Required and

SITE DESCRIPTION/CONTEXT

The site forms part of Oakwood Farm, a 350-acre established dairy holding at Upper Minety, where land within field parcel SU0092 8122 is used for grazing and internal farm access. The wider holding accommodates around 200 dairy cows and 300 young stock. Access to the site is taken from the private farm entrance off Crossing Lane, with the proposed works located wholly within the farm. The land lies within a medium–high priority water protection area and a Drinking Water Safeguard Zone, and crosses a watercourse with a 20m EA water Buffer development zone. The development is on an agricultural pasture field surrounded by pasture fields.



PROPOSAL

The proposal seeks the installation of a new 160-metre long, 4-metre wide hardcore agricultural track within field parcel SU0092 8122 to provide an all-weather route for livestock and machinery

between existing parts of the farm. The track would comprise a crushed concrete base finished with a finer crushed stone wearing layer, and the applicant benefits from a Countryside Stewardship Capital Grant supporting environmental improvements, including a hardcore livestock and machinery track within this parcel.

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), which grants planning permission for certain types of development described in Schedule 2 of the Order. The grant of permission is subject to the limitations, conditions, and provisions set out within the relevant Classes of permitted development.

Under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), certain changes of use and associated operations may be permitted subject to prior approval from the Local Planning Authority.

RELEVANT PLANNING HISTORY

Proposal / Summary
PL/2024/04770 - Prior notification: Road (agricultural/forestry) Decision - Prior Approval Not Required Date: 19/6/2024 – Proposed hardcore agricultural track
PL/2023/04929 - Full planning permission Decision - Approve with Conditions Date: 29/8/2023 – Roofing an existing cattle gathering area with associated concreting works
PL/2023/04914 - Prior notification: Road (agricultural/forestry) Decision - Prior Approval Not Required Date: 14/7/2023 – Proposed Hardcore Track
PL/2021/07977 - Prior notification: Excavation/waste material Decision - Prior Approval Not Required Date: 6/9/2021 – Renewal of two areas of concrete yard.
19/07674/APD - Agricultural & Forestry - Detailed matters Decision - Withdrawn Date: 23/8/2019 – General purpose agricultural building
19/08277/FUL - Full planning permission Decision - Approve with Conditions Date: 7/11/2019 – Proposed extension to existing agricultural shed and construction of new agricultural shed.
N/10/02388/FUL - Full planning permission Decision - Approve with Conditions Date: 13/9/2010 – Construction of Earth Bank Slurry Store to Meet Nitrate Pollution Prevention Regs 2008
N/94/00898/FUL - Full planning permission Decision - Approved Date: 20/6/1994 – STEEL FRAMED AGRICULTURAL BUILDING FOR GENERAL STORAGE AGRICULTURAL BUILDING

CONSULTATION

Environment Agency: No Comments

ASSESSMENT

The application is made under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 6.

The site forms part of an agricultural unit of 5 hectares or more and the proposal is for the formation of a private way for agricultural use. As such, the proposal must comply with the provisions of Class A of Part 6.

Does the Proposal Qualify as 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.

The works involve the engineering operation of the installation of a hardcore track. The supporting statement and evidence provided have shown that this will not only provide ease of access but will also prevent water pollution as the track runs over land covering a watercourse and land that lies within a medium–high priority water protection area and a Drinking Water Safeguard Zone. This, alongside the nature of the dairy cow business, which means they are constantly moving between fields, causes land to be poached and makes it difficult for cows and vehicles to travel across it. This track will reduce soil compaction, poaching, and potential animal welfare and health issues, while making vehicle movement easier. The proposal is therefore considered reasonably necessary for the purposes of agriculture within the unit.

Compliance With Class A.1 – Limitations

The development has been assessed against the criteria of Paragraph A.1 and is found to be compliant. The track is not located on a parcel under 1 hectare; it does not involve the erection of a building, dwelling, or non-agricultural structure; and it is designed solely for agricultural purposes to support the movement of livestock and machinery. The proposal is not for the erection or extension of a building, and as such, development does not exceed the height restrictions. It is not within 25 metres of a trunk or classified road, is not within 400 metres of a protected building, and is unrelated to fish farming or biomass/AD storage. Accordingly, the proposal meets all relevant limitations and is permitted development under Class A.

Conditional criteria of Class A

A.2(1) – Agricultural Unit Size and Use

The holding exceeds 5 hectares and is in active agricultural use. The works are reasonably necessary for the purposes of agriculture, providing an all-weather route for livestock and machinery, reducing poaching and soil damage, and improving access between field parcels.

A.2(2) – Prior Approval Requirements

Once it is established that the proposal is permitted development under Class A of Part 6 of the GPDO, the applicant must apply to the Local Planning Authority for confirmation that prior approval

is not required. In such a situation the Council must assess whether the siting, design and external appearance of the siting and means of construction of the private way, as the case may be.

Assessment of Siting, Design and External Appearance

The proposed 160-metre hardcore track is located internally within the agricultural unit at Oakwood Farm, following an existing livestock movement route and linking to an established track. It is contained within pasture fields, does not affect the public realm, is well separated from residential receptors, and is not in proximity to any public rights of way. The siting is therefore acceptable and appropriate to the operation of the farm.

The design comprises a crushed-concrete base topped with a finer crushed-stone wearing layer, representing a typical and functional agricultural specification that improves ground conditions while allowing rainwater to percolate. Externally, the track would sit low within the landscape and, finished with locally sourced stone, would assimilate into the surrounding agricultural environment without introducing built form or visual clutter, resulting in no material landscape harm.

The applicant has submitted a detailed construction plan confirming that the works will follow recognised RPA standards. These include excavation of a trench at least 2.4 m wide and 150 mm deep (or to a naturally hard surface), installation of a culvert sized to accommodate both dry-weather and peak-flow capacity across the watercourse, profiling of the track edges with excavated soil, and use of a geotextile membrane where the trench base lies on subsoil. The track would be filled with at least 150 mm of compacted aggregate and finished with a 25–50 mm layer of 18-mm-to-dust material compacted to a convex camber. Runoff would be directed to a ditch or stable drainage outlet or diverted onto grassland.

Given these measures, and noting the Environment Agency's lack of objection, it is determined that the submission demonstrates that the track would be constructed in a manner appropriate to both the agricultural setting and the environmental sensitivities of the site, including its location within a medium–high priority water protection area and Drinking Water Safeguard Zone.

CONCLUSION

The proposed development has been assessed against the provisions, limitations, and conditions set out in Schedule 2, Part 3, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). 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.

Following assessment, it is determined that prior approval is required in relation to the siting, design and External Appearance, of the development, as while the proposed track is located wholly within the agricultural unit, follows existing livestock movement routes, does not affect the public realm, and introduces no highway, amenity or visual impacts the proposal does track over land crossing of a watercourse, the presence of a 20-metre Environment Agency water buffer development zone, and the site's location within a medium–high priority water protection area and Drinking Water Safeguard Zone and as such drainage has to be considered.

Having assessed the relevant matters that require prior approval and account for the no particular objection from the Environment Agency, it is further concluded that: **Prior approval is granted**, subject to the development being carried out in accordance with the submitted details — including

the construction method, culvert specification, aggregate depths, cambered finish, and drainage arrangements — and any conditions set out in this report.

RECOMMENDATION:

That prior approval is required and granted subject to the following conditions

Conditions:

1) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location Plan - Received 13th February 2026

Construction Method Statement Plan - DWG Proposed Construction Over Ditch 20.02.26- received 20th February 2026

Application Form Received 13th February 2026

REASON: For the avoidance of doubt and in the interests of proper planning.

2) No alterations to the existing watercourse or drainage characteristics beyond those detailed in the approved plans shall be undertaken. The culvert shall be maintained in an unobstructed condition for the lifetime of the development.

Reason: To prevent increased flood risk, ensure effective conveyance of water, and protect the functioning of the watercourse within a Drinking Water Safeguard Zone.

3) The track shall be constructed fully in accordance with the submitted construction method details set out in "Proposed Construction Over Ditch 20.02.26" received 20th February 2026, including:

- Trench excavation to a minimum width of 2.4 m and depth of 150 mm or to a naturally hard surface;
- Installation of a culvert sized to accommodate dry-weather and peak-flow capacity;
- Use of a geotextile membrane where the trench base lies on subsoil;
- Placement of a minimum 150 mm compacted aggregate base;
- Application of a 25–50 mm wearing layer of 18 mm-to-dust material, compacted to a convex camber;
- Direction of surface runoff to a ditch, stable drainage outlet, or grassland.

The track shall be maintained in in that state for the lifetime of the development.

Reason: To ensure the track is constructed to an appropriate standard and to safeguard water quality, drainage function and land stability.

Appendix A

Class A – Conditional Criteria Assessment Table

Criterion	Requirement	Assessment	Complies?
A.1(a)	Development must not be on a separate parcel under 1 ha	The development is not on a parcel less than 1 ha	Yes
A.1(b)	No erection/extension of agricultural building where Class Q or S used in last 10 years	Proposal does not involve a building; not applicable	N/A
A.1(c)	Must not include a dwelling	No dwelling involved	N/A
A.1(d)	Development must be designed for agricultural purposes	Hardcore track for livestock/machinery; agricultural purpose	Yes
A.1(e)	Ground area must not exceed 1,000 m ²	Approx. 699.2 m ² ; below threshold	Yes
A.1(f)	Height <3m within 3 km of aerodrome	Ground-level track; below height limit	Yes
A.1(g)	Height <12m outside aerodrome zone	Ground-level track; below height limit	Yes
A.1(h)	Not within 25m of trunk/classified road	Track not within 25m of such roads	Yes
A.1(i)	Not within 400m of protected building for livestock/slurry storage	Not livestock accommodation/slurry storage; not within 400m	Yes
A.1(j)	Not fish farming works on Article 2(4) land	Proposal unrelated to fish farming	Yes
A.1(k)	Not biomass/AD storage building	Proposal not related to biomass/AD	N/A