

APPLICATION FOR PRIOR NOTIFICATION – PART 6

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/02461
APPLICATION TYPE:	Prior notification: Schedule 2, Part 6, Excavation/waste material
SITE ADDRESS:	Fernhill Farmhouse, Sundays Hill, Brinkworth, Chippenham, SN15 5AT
DEVELOPMENT DESCRIPTION:	Replace an area of hardstanding in the existing farmyard with concrete
RECOMMENDATION:	That Prior Approval not required

SITE DESCRIPTION/CONTEXT

The application site forms part of Fernhill Farm, located at Sundays Hill, Brinkworth, Chippenham, Wiltshire, SN15 5AT. The site lies within an established agricultural holding operated by L A Lewis & Son, comprising approximately 62 acres (25 hectares) of owner-occupied land, with additional rented grassland in the local area. The farm operates as a working dairy enterprise, with cattle numbers of approximately 170 head, including around 95 dairy cows.

The application relates to approximately 680 square metres of the existing farmyard within field parcel ST9986 5454. This is a heavily trafficked operational area used daily for farm machinery and livestock movements. The current hardstanding is worn and eroded, with regular use and rainfall contributing to sediment run-off into nearby land and drainage features.

The site lies within a predominantly rural agricultural setting, characterised by active farmland, dispersed farm buildings and associated agricultural infrastructure. It falls within the Avon, Bristol and North Somerset Streams catchment, which is identified as a high water quality priority area with sensitivities relating to sediment, nitrate and phosphate pollution. The nearest watercourse is located approximately 219 metres from the farmyard, and there are no neighbouring residential properties in close proximity to the application site.



PROPOSAL

The proposal seeks prior approval for the renewal of an existing area of hardstanding within the established farmyard at Fernhill Farm through the concreting of approximately 680 square metres of yard. The works involve upgrading the existing surface to a concrete yard within the existing farmyard curtilage. There would be no increase in the operational footprint of the site. The proposed works are reasonably necessary for the purposes of agriculture and are directly related to the ongoing use of the land as an operational agricultural unit.

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
N/07/02074/FUL, Agricultural Building, Approve with Conditions, 11/09/2007
N/12/01642/AGN, Livestock Building, Application does not need permission, 11/07/2012
17/04870/FUL, Proposed steel frame building to house variety of animals, Approve with Conditions, 08/08/2017

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 to replace exiting open hardstanding within the existing farmyard 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 proposal comprises engineering operations on agricultural land forming part of an agricultural unit exceeding 5 hectares in area. The works involve the renewal of an existing area of hardstanding within the farmyard through the concreting of approximately 680 square metres. The development is reasonably necessary for the purposes of agriculture, supporting the safe and efficient operation of the dairy enterprise, and is confined entirely to the established farmyard with no extension of its footprint.

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 hardstanding 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 does not include works not within 25 metres of a trunk or classified road. 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, 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 within the farm yard for livestock and machinery movements, replacing the existing eroded hardstanding reducing the risk of foul water runoff. Surface water will continue to be managed as part of the existing farmyard drainage arrangements.

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 Means of Construction

The proposed development is confined entirely within the existing farmyard at Fernhill Farm and does not introduce any new built form or extend the operational footprint of the agricultural unit. The siting utilises an established area of hardstanding that is already in continual agricultural use and is therefore appropriate in functional, visual and landscape terms.

The proposal involves the renewal of an existing degraded surface rather than the introduction of new structures or features. As such, the works will not result in any material change to the appearance of the site or the wider rural landscape. The design is purely utilitarian and reflects the

operational requirements of the farmyard, ensuring durability, safety and effective management of agricultural activities.

In terms of external appearance, the use of concrete is typical of agricultural yard surfacing and is entirely consistent with the character of the existing farmyard and surrounding agricultural infrastructure. The works will result in a neat and consolidated surface, reducing visual clutter associated with erosion and informal surfacing.

The means of construction are standard agricultural engineering operations and will be undertaken entirely within the established farmyard, with no adverse impacts on neighbouring land, residential amenity or the wider countryside. Surface water will continue to be managed as part of the existing farmyard drainage arrangements.

Accordingly, the siting, design, external appearance and means of construction of the proposed development are acceptable, and there are no matters requiring further assessment through the prior approval process.

CONCLUSION

The proposed development has been assessed against the provisions, limitations, and conditions set out in Schedule 2, Part 6, 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 prior approval is not required and the proposal complies with the criteria for permitted development, and therefore falls within the scope of Class A.

RECOMMENDATION:

That prior approval is not required

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	Replacement concrete hardstanding within the existing active farm yard for livestock/machinery movements; agricultural purpose	Yes
A.1(e)	Ground area must not exceed 1,000 m ²	Approx. 680 m ² ; below threshold	Yes
A.1(f)	Height <3m within 3 km of aerodrome	Ground-level service farm yard; below height limit	Yes
A.1(g)	Height <12m outside aerodrome zone	Ground-level service farm yard; below height limit	Yes
A.1(h)	Not within 25m of trunk/classified road	service farm yard not within 25m of trunk or classified road	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