

APPLICATION FOR PRIOR NOTIFICATION - AGRICULTURAL CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/03509
APPLICATION TYPE:	Prior notification: Building
SITE ADDRESS:	Church Farm, Middle Common, Kington Langley, Chippenham, SN15 5NN
DESCRIPTION:	General purpose agricultural building (Resubmission of PL/2025/01735)
RECOMMENDATION:	PRIOR APPROVAL REQUIRED AND GRANTED

SITE DESCRIPTION

The application site is in a field forming part of an agricultural unit of 15.2 hectares at Church Farm, Kington Langley. Its setting is characterised by the immediate foliage and green spaces and the village buildings. It lies on the edge of the small village of Kington Langley. Relevant designations and constraints include Kington Langley Conservation Area wrapping around the site on 2 sides with a separation distance of 17.1m and nearby Grade II listed buildings, including Church Farmhouse 85m northwest [NHLE: 1022318], Barn to the south west of Church Farmhouse [1283654] 114.4m away.

PROPOSAL

The application seeks the view of the Local Planning Authority as to whether prior approval is required for the erection of a building and engineering operations under the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), Schedule 2, Part 6, Class A (GPDO). The development consists in the erection of a general-purpose agricultural building. It is steel framed with blockwork and timber clad walls and profiled metal sheet roof. It measures 13.8m by 8m, 3m eaves and 4.1m ridge.

RELEVANT PLANNING HISTORY

PL/2025/01735 - General purpose agricultural building (resubmission of PL/2024/10341) (PRIOR APPROVAL REQUIRED AND GRANTED 18/03/2025).

PL/2024/10341 - General purpose agricultural building (PRIOR APPROVAL REQUIRED AND REFUSED 03/01/2025).

ASSESSMENT

Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (hereafter "GPDO") grants planning permission for classes of development as described by Schedule 2 of the order, known as "permitted development rights" ("PD"); subject to the provisions, limitations and conditions set out in the relevant classes.

The application is made in respect of Schedule 2, Part 6, Class A of the GPDO, which sets out the PD rights for *agricultural development on units of 5 hectares or more*.

Whether the proposed development is permitted development

Appendix 1 of this report provides an assessment of the development against the criteria and limitations set out in the GPDO. It is determined that the development is permitted under Part 6, Class A as it is development reasonably necessary for purposes of agriculture within an agricultural unit of 5 hectares or more and does not exceed any limitations.

The proposed development satisfies the requirements of A and would not exceed the limitations set out in A.1, and is therefore development permitted under Schedule 2, Part 6, Class A of the GPDO.

Whether prior approval will be required

Development that is permitted under Part 6, Class A has planning permission subject to the conditions set out in A.2.

Condition A.2(2)(i) requires that the developer must, before beginning the development, apply to the Local Planning Authority (LPA) for a determination as to whether the *prior approval* of the authority will be required as to the siting, design and external appearance of the building.

An application to determine whether prior approval is required under A.2(2)(ii) must be accompanied by a written description of the proposed development and of the materials to be used and a plan indicating the site together with any fee required to be paid.

The proposed building is a modest size and appropriately designed for its purpose, sited away from sensitive areas of neighbouring land. It would be within the setting of the Kington Langley Conservation Area and some Grade II listed buildings; however, it would occupy part of the field where existing vegetation would provide an amount of screening and its rural design otherwise complements its surroundings.

The building would have an acceptable effect on the character and appearance of the area and cause no harm to the significance of the heritage assets through change within their settings. However, the siting of the building would cause a loss of some vegetation in the process of its assimilation into the site. Accordingly, there is a risk of planning harm due to degradation of habitat.

The LPA had previously determined that its prior approval was required for a very similar development¹. This was found to be the case due, primarily, to its siting and the risk of planning harm arising from such degradation of habitat.

In this case, the LPA has similarly decided to determine that its prior approval is required, and the applicant subsequently satisfied the requirements of Condition A.2(2)(iii) to display a site notice

The application was supported by a Preliminary Ecological Appraisal which sets out the level of impact, precautionary working practices, and mitigation measures to be carried out as part of the development. Compliance with this document, alongside those others submitted with the application, would be secured by Condition A.2(2)(v)(aa) for which there is no reason to duplicate.

¹ PL/2024/10341 and PL/2025/01735.

CONCLUSION

The details submitted are sufficient to conclude that the development is permitted under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). In relation to the siting, design and external appearance of the building, it was determined the prior approval of the Local Planning Authority was required. However, and based on the details submitted, the development would have acceptable effects in respect of matters of acknowledged importance to the public interest. Prior approval should therefore be granted so that the development proceeds in accordance with the submitted details.

RECOMMENDATION:

That PRIOR APPROVAL IS REQUIRED AND GRANTED.

Informative to the Applicant:

1. For the avoidance of doubt, supporting information provided and approved as part of this application are:

Application Form. Received 3 June 2026.

Covering Letter. Received 3 June 2026.

Location Plan. LPC 5498 01 Rev A. Received 3 June 2026.

Proposed Block Plan. LPC 5498 PR 02 Rev A. Received 3 June 2026.

Proposed Elevations. LPC 5498 PR 03 Rev A. Received 3 June 2026.

Proposed Plan. PLC 5498 PR 04 Rev A. Received 3 June 2026.

Preliminary Ecological Appraisal. LUS24256 by Luscinia Ecology, dated 14 February 2025. Received 3 June 2026.

2. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
3. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species (http://www.naturalengland.org.uk/Images/ProtectedSpeciesLists_tcm6-25123.pdf), or to damage or disturb their habitat or resting place. This consent does not override the statutory protection afforded to any such species.

Avoidance and mitigation measures contained within the preliminary ecological appraisal should be adhered to and, in the event that your proposals could potentially affect a protected species, you should seek the advice of a suitably qualified and experienced ecologist (<http://www.ieem.net/members-directory>).

Please see Natural England's website for further information on protected species (<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/default.aspx>)

APPENDIX 1 – PERMITTED DEVELOPMENT CHECKLIST

A. Development is permitted by Part 6, Class A if it consists of:		EXCEEDS/ NOT EXCEEDED
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.	NOT EXCEEDED – the application documents confirm the development comprises the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of works for the erection of a building which is reasonably necessary for the purposes of agriculture within that unit. The planning history is also relevant in this regard.
A.1. Development is not permitted by Class A if:		
A.1(a)	the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;	NOT EXCEEDED – the application documents confirm that the development would be carried out within a parcel of land forming part of the unit which is at least 1 hectare in area.
A.1(b)	it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) 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;	NOT EXCEEDED – no evidence can be found that development under Class Q or S of Part 3 would have been carried out within a period of 10 years ending with the date on which this development would begin.
(c)	it would consist of, or include, the erection, extension or alteration of a dwelling;	NOT EXCEEDED – the application documents confirm the development comprises the erection of a building design for agricultural purposes.
(d)	it would involve the provision of a building, structure or works not designed for agricultural purposes;	NOT EXCEEDED – the application documents confirm the development comprises the erection of a building design 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 would exceed 1,000 square metres; or (ii) any building erected or extended or altered by virtue of Class A, would exceed 1,500 square metres, calculated as described in paragraph D.1(2)(a) of this Part;	NOT EXCEEDED – the ground area covered by the development would not exceed the relevant limitation on ground area.

(f)	the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;	NOT EXCEEDED – the development exceeds 3 metres in height but the application documents confirm it would not 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;	NOT EXCEEDED – the maximum height of the development would not exceed 12 metres.
(h)	any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;	NOT EXCEEDED – 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 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;	NOT EXCEEDED – the application documents confirm the development would not be used for the accommodation of livestock or the storage of slurry or sewage sludge.
(j)	it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;	NOT EXCEEDED – the development is not located over Article 2(4) land nor in connection with fish farming.
(k)	any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system— (i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or (ii) is or would be within 400 metres of the curtilage of a protected building	NOT EXCEEDED – the development would not be used for storing fuel or waste from a biomass boiler or anaerobic digestion system.
(l)	the erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument.	NOT EXCEEDED – the development would not be carried out on land or a building that is, or is within the curtilage of, a scheduled monument.