

4.5 20/03400/AGRNOT      Date expires 21 December 2020

Proposal:                      General purpose steel framed building.

Location:                      Land West Of Faulkners Hill Farm , Yorks Hill, Ide Hill  
KENT TN14 6LG

Ward(s):                      Brasted, Chevening And Sundridge

#### **Item for decision**

This application is referred to Committee as the applicant is a relative of a member of staff.

**RECOMMENDATION:** That permission be **PRIOR APPROVAL REQUIRED.**

Having carefully considered these details, Sevenoaks District Council as the local planning authority has determined that the prior approval of the local planning authority will be required for this development and the development cannot therefore begin until such approval has been given.

#### INFORMATIVES

- 1 The submission of further details are required in order for the local planning authority to give formal consideration to the siting, design and external appearance of any building, extension or alteration; siting and means of construction of any private way; the siting of the excavation or deposit; or the siting and appearance of any tank.
- 2 Upon the submission of the further details required you are required by legislation to complete and display a site notice on or near the land to which the proposed development is to be carried out, leaving the notice in position for not less than 21 days. The notice will be supplied to you on receipt of the additional details.
- 3 If the site notice is removed, obscured or defaced before the period of 21 days have elapsed you must take reasonable steps for protection of the notice and if need be, its replacement.
- 4 The applicant is advised that details of the design and appearance of the barn will be required. In addition, further consideration should be given to the precise siting of the barn which, because of its close proximity, is considered to represent a potential fire risk to the adjacent woodland. You are advised to seek the advice of the Fire Service prior to submission of the additional details.

## Description of site

- 1 The site occupies a rural location, located on a road known as Scallops, which runs from Winkhurst Green Road to Yorks Hill. The site for the barn is located on the northern side of the road, adjacent to an existing field access, with a small area of woodland immediately to the east and extensive open fields to the north (and south). The main Faulkners Hill Farm is located a short distance to the east, with an associated agricultural dwelling to the west and other associated agricultural grain stores to the south-west. The site forms part of a very extensive agricultural holding of approximately 800 hectares.

## Description of proposal

- 2 The application seeks to erect a steel framed, fibre cement roof, open sided hay barn. It would measure 36m in length, by 24m in width, 7.5m to eaves and 9m to ridge.

## Relevant planning history

- 3 None relate directly to this site. However, there are several relating to the larger agricultural holding as follows:
- 4 18/00596/FUL - Proposed new barn and silage clamp together with enlargement of existing brown water lagoon and new harvested clean water attenuation lagoon. Granted 5.7.18.
- 5 17/00818/AGRNOT - Extensions to a general purpose steel framed building. Prior Approval not required 6.4.17 (not implemented).
- 6 12/01251/AGRNOT - Erection of general purpose steel framed building - Prior Approval not required.
- 7 09/01822/AGRNOT - Erection of a general-purpose storage building - No objection raised.
- 8 08/00423/AGRNOT - Erection of new grain store - No objection raised (building not erected).

## Constraints

- 9 The following Constraints apply:
  - Metropolitan Green Belt
  - Area of Outstanding Natural Beauty

## Consultations

- 10 Note that the final expiry date for consultations for this application is 9 December. Any responses received after the drafting of this report will be referred to in late observations.

11 Parish Council - No response

12 Council's Agricultural Consultant:

"Whilst the submissions viewable online only give limited details, I am aware that this proposal relates to a relatively large (800 ha), well-established, local farm business.

The proposed building is described as open-sided and thus effectively would be providing the protection of a sheeted roof over stacks of hay and straw which, as it appears, have to stand outside at present; the total referred to being some 3500 bales (presumably larger format).

The building appears reasonably necessary for this purpose, and of a suitable size and general design.

However I am not so sure about the proposed location - I appreciate the concern to have the building fairly isolated to limit fire risk to the buildings at Faulkners Hill Farm (about 300m to the east), but by the same token there is woodland immediately east of the proposed building site, which presumably would be vulnerable to any fire in the hay/straw carried across by the prevailing wind.

I would recommend, therefore, that the proposal be "called in" under the Council's GPDO powers for approval of siting, as well as design and external appearance (the latter aspects being also relevant given that there seem to be no detailed plans/ elevations at present).

It may be that the Fire Service could be consulted on the safest positioning?"

#### **Chief Planning Officer's appraisal**

13 Whether the proposal complies with Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and whether prior approval is required for the development proposed.

14 The above part of the legislation allows for 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.

15 In assessing an application of this type, the local planning authority can only determine:

- Whether the proposal complies with the permitted development rights under the above legislation;

And

- That prior approval is required for the siting, design and external appearance of the building or,
  - That prior approval is not required.
- 16 This part of the General Permitted Development Order requires proposals under this Class to be “*reasonably necessary for the purposes of agricultural within that unit.*”
- 17 In assessing whether the works are “reasonably necessary”, the Council’s independent agricultural consultant has examined the proposals and considers the proposals to be reasonably necessary for the purposes of agriculture on this unit and I concur with his conclusion.
- 18 Under paragraphs A.1 and A.2 of Class A, development is permitted subject to several criteria and several conditions respectively, as summarised below.
- 19 Paragraph A.1 states that development is not permitted by Class A if certain criteria fail to be met, for example the size of the land on which the building would be sited, the use to which it would be put, restrictions on the use and the size of the building.
- 20 The proposed barn has been assessed against the relevant criteria and complies.
- 21 However, this is subject to a number of conditions.
- 22 Conditions:
- 23 I am satisfied that the applicant has complied with the relevant conditions under paragraph A.2 (1).
- 24 A.2 (2) states that; development consisting of the erection of a building is permitted by Class A subject to the following conditions -
- the developer must, before beginning the development, apply to the local planning authority 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, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;
- 25 In this instance, it is accepted that there is a genuine agricultural need for the barn. The barn has been located partly to reduce the risk of fire to adjacent buildings. However, concerns are been raised to the precise siting of the building, which would be sited immediately adjacent to an area of woodland, which itself would potentially be vulnerable to any fire in the hay/straw which could be carried across by the prevailing wind.

- 26 In addition, as no detailed plans have been submitted, I consider it necessary that details of the siting, design and appearance should be submitted for prior approval

### **Conclusion**

- 27 In light of the above, it is my conclusion that the proposed hay barn is acceptable in principal but that prior approval is required for the siting, design and appearance of the building.

### **Background papers**

Site and block plan

Contact Officer(s): Jim Sperryn 01732 227179

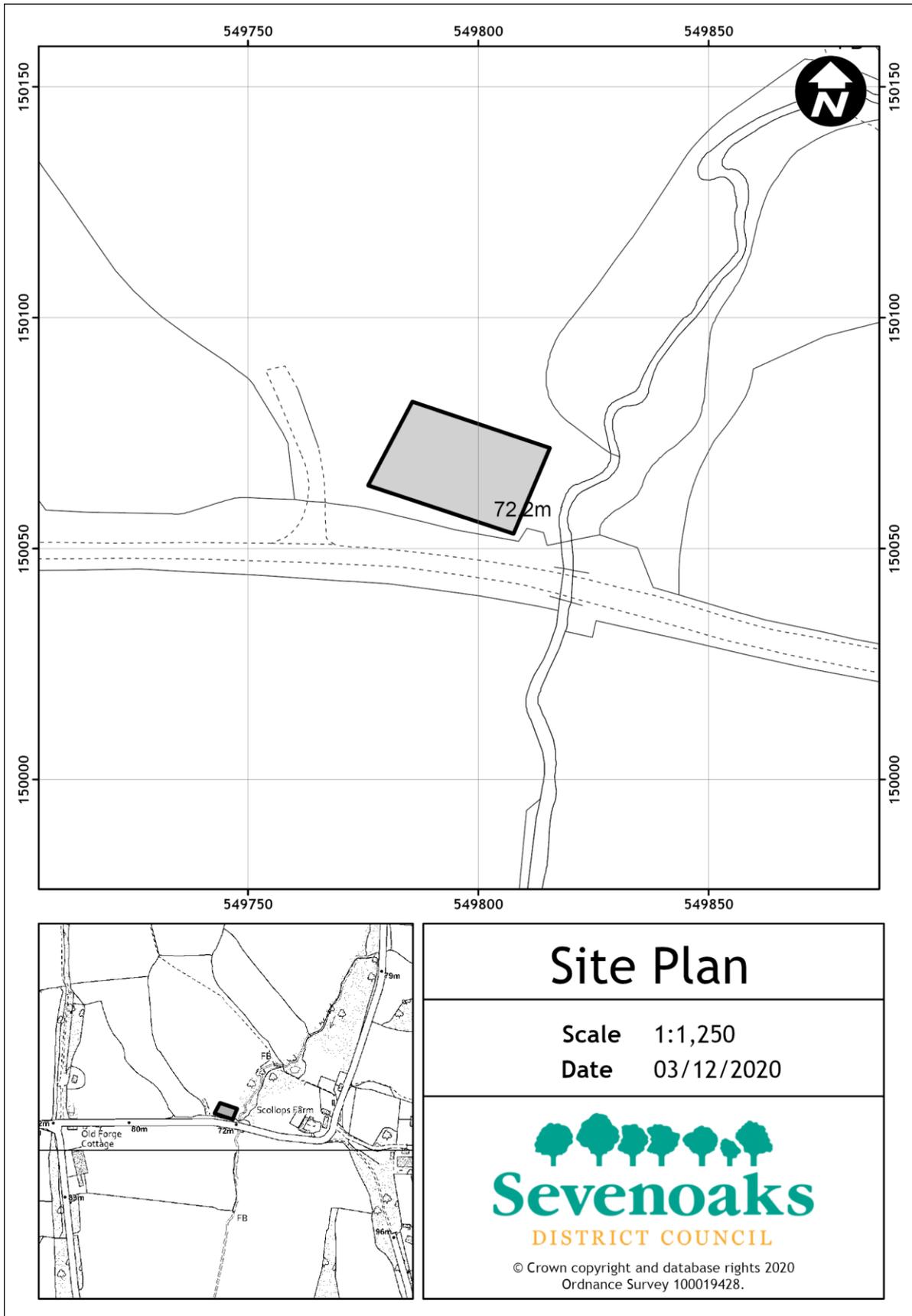
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QK9DPNBKLV00>



# Site Plan

Scale 1:1,250

Date 03/12/2020



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Ordnance Survey 100019428.

