

From: Simon Davis
Sent: 11 July 2019 10:41

Subject: AL/48/19/AG - Park Farm - Erection of Agricultural Building

Dear John,

I have just realised that we are out of time to respond on this application in that 28 days have passed since validation. I recall upon receipt that I was going to put a reminder in my calendar to determine the application before the 27th June but for some reason I did not.

However, upon analysis of your application form, I note that you say that the agricultural unit is 342.5m² and that the building will be sited on a parcel of land of at least 1ha. Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows for new agricultural buildings on agricultural units of 5 or more hectares. Section A.1 then states that development is not permitted if the building would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area.

As the application stands, regardless of us not responding within 28 days, I must object to the application on the grounds that the agricultural unit is not 5 hectares or more and that there is no precise figure given for the parcel of land on which the building is sited (it is not acceptable to just say 1 hectare or more).

Although I suspect you have just not provided the correct information, I am not willing to accept an amendment to the application form as we are out of time to make a determination as to whether prior approval is required as to the siting, design and external appearance of the building. Also, we are unable to invalidate the application and restart the clock. Therefore I will have to refuse the application unless you wish to withdraw and resubmit? Please note that I am aware of appeal decisions that say that where development is not permitted development according to the provisions of the GPDO, then it does not matter if the authority fails to respond in the requisite period (28 days).

Kind Regards

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