



Appeal Decision

Site visit made on 15 April 2025

by L C Hughes BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 May 2025

Appeal Ref: APP/V4250/W/24/3355563

Morris Fold Cottage, Wigan Road, Aspull, Wigan WN2 1EF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Liam Gallagher against the decision of Wigan Metropolitan Borough Council.
 - The application Ref is A/24/97879/AG.
 - The development proposed is agricultural produce and machinery store.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 6 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for agricultural produce and machinery store at Morris Fold Cottage, Wigan Road, Aspull, Wigan WN2 1EF in accordance with the application ref A/24/97879/AG and the details and location plan submitted with it.

Preliminary Matters

2. Under Article 3(1) and Schedule 2, Part 6, Class A of the GPDO, planning permission is granted for the erection, extension or alteration of a building which is reasonably necessary for the purposes of agriculture subject to limitations and conditions. Paragraph A.2.(2)(i) to Part 6 requires the developer to apply to the local planning authority for a determination as to whether prior approval is required for the siting, design and external appearance of the building.
3. In this case the Council found the development was not reasonably necessary for the purposes of agriculture, that it was not demonstrated that the parcel of land was solely used for agriculture and is 1ha or more in area, and that prior approval was required and refused.
4. The provisions of Class A do not require regard be had to the development plan. I have had regard to the policies of the development plan, related guidance and the National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to matters of siting, design and the external appearance of the building
5. The decision notice was inaccurate as it repeated one reason for refusal whilst omitting another which had been detailed in the officer's report. However, the appellant was aware of this error and referred to all three reasons for refusal in his appeal submissions. The Council acknowledged its mistake in its Statement of Case and stated that the issues raised in the delegated report remained valid. I am

satisfied that my consideration of the reasons for refusal detailed in the officer's report would cause no injustice to any party, and I have determined the appeal on this basis.

Main Issues

6. The main issues are whether or not the proposal would be permitted development under Schedule 2, Part 6, Class A of the GPDO having particular regard to:
- whether the building would be reasonably necessary for the purposes of agriculture;
 - whether the land is solely used for agriculture and is 1ha or more in area;
 - whether or not the development would be inappropriate in the Green Belt; and
 - whether prior approval should be granted having regards to the proposed developments' siting, design, and external appearance.

Reasons

Whether reasonably necessary

7. The submitted documents indicate that the agricultural unit is approximately 6.6ha in total, and that the land is predominantly cut to grassland which is utilised to produce hay and haylage.
8. Whilst the Council has noted that equestrian uses have been approved at the unit, I also note that permission was granted at appeal in 2021 to retain hardstanding for the purpose of storing wrapped bales of haylage. I have not been presented with any substantive evidence that circumstances have materially changed, and I therefore have no reason to doubt that agricultural uses including the cutting of grassland to produce hay and haylage are taking place on the land.
9. The proposed agricultural building would be used for the storage of hay to be sold throughout the winter months. The appellant contends that without sufficient storage facilities and protection from the weather, the hay produced would be subject to wastage. To be 'reasonably necessary' for agriculture, Part 6 of the GPDO does not require a detailed analysis of floorspace requirements. Nonetheless, the appellant's appeal statement explains why a building of the scale proposed is considered necessary to support the agricultural business. The appellant has indicated that the business will produce up to approximately 3300 small bales annually, which would require 130m² of storage space. I have no reason to doubt the accuracy of these figures.
10. At the time of my visit, a number of vehicles and other machinery were parked at the appeal site. The proposal would also allow for the storage of agricultural machinery and equipment used in connection with the farming enterprise which the appellant considers is at increased risk of weathering, damage and theft due to being stored outdoors. The equipment and machinery to be housed in the agricultural building would include a livestock wagon, a backhoe loader and a flat-bed trailer. An allowance would also be included to allow for the manoeuvrability and access of machinery and equipment. Miscellaneous items for the maintenance

of the land such as fencing supplies and drainage pipework would also be stored in the building.

11. The test is not whether the development is essential but rather whether it falls within reasonable bounds. A building to store agricultural produce, machinery, and other equipment to facilitate a more efficient and profitable running of an agricultural business would fall into that category. I also recognise that the appellant states that he does not have any other agricultural buildings suitable for this purpose. The building would comply with the dimensions in Part A and would be of an appropriate scale to house the number of hay bales produced by the unit along with necessary farm machinery. Taking these considerations into account, I am satisfied that the proposal would be reasonably necessary for the purposes of agriculture within that unit under Schedule 2, Part 6, Class A of the GPDO.

Whether solely used for agriculture and 1ha or more in size

12. Paragraph A.1 of the GPDO states that development is not permitted by Class A if the development would be carried out on a separate parcel of land forming part of the unit which is less than 1ha in area.
13. The submitted documentation states that the agricultural unit in its entirety is 6.6ha, with the majority of the land located separately from the appeal site. There is a dispute between the main parties regarding whether the development would be carried out on a parcel of land less than 1ha in area. The Council has concerns that the parcel of land where the proposed building would be erected was subject to a previous application which indicated that it was less than 1ha, and moreover that the parcel also encompasses equestrian use.
14. The appellant's submitted evidence indicates that with the equestrian land and uses excluded from the measurements, and with the grassland for cropping taken into consideration, the proposal would be carried out on a parcel of land which would exceed 1ha in area, together totalling 1.57ha. Based on the information before me and my observations on site, the proposal would therefore satisfy the requirements of Paragraph A.1 of the GPDO.

Inappropriate development

15. The appeal site's location within the Green Belt is not a matter for consideration under Schedule 2, Part 6, Class A of the GPDO. However, as the Council does not think that the site is reasonably necessary for agriculture, it considers that it would constitute inappropriate development and would result in significant harm to the openness of the Green Belt.
16. Paragraph 154 of the Framework sets out that development in the Green Belt should be regarded as inappropriate other than in a few exceptions. One such exception, at Paragraph 154a, is buildings for agriculture.
17. As I have concluded that the building would be reasonably necessary for the purposes of agriculture, it follows that the proposal would not be inappropriate development within the Green Belt.
18. I therefore conclude that the proposal would not be inappropriate development within the Green Belt and would not conflict with the Green Belt objectives of the Framework.

Siting, design and external appearance

19. The appeal site is located close to the edge of the urban area of Wigan, within an area of gently undulating agricultural land interspersed with woodland. The proposal would be sited on an existing area of hardstanding adjacent to a track that is also a Public Right of Way (PROW). Two other PROWs are located adjacent to the site. Access to the development would be relatively short via the existing farm track and entrance.
20. Whilst the proposal would be sited separately from other buildings, it would be positioned towards the edge of the wider site close to an established wooded area. The building would be screened to its southern and eastern boundaries by mature natural vegetation which provide a significant degree of visual containment and would help to soften the building and assimilate it into the landscape. Its positioning in a slight landscape depression would further reduce its visible bulk and minimise its prominence. Whilst the proposal would be visible from certain vantage points along the PROWs, it would be read as an agricultural building within a wider agricultural landscape, commensurate with the use and the surrounding context. As such, I do not find that it would be unduly prominent or incongruous.
21. The submitted evidence indicates that the development would be constructed of traditional materials, comprising grey concrete panels with vertical Yorkshire boarding with a natural finish. The proposed building would have corrugated fibre cement roofing sheets. The size of the barn would be appropriate given the space required to store the hay and machinery, and its height, design and appearance would be that of a typical agricultural building which would not look uncharacteristic in its location.
22. I conclude that the siting, design and appearance of the proposal would be acceptable, and as such the proposal would not conflict with the Framework insofar as it relates to matters of character and appearance.

Conditions

23. The GPDO does not provide any specific authority for imposing additional conditions beyond the deemed conditions for agricultural development on units of 5 hectares or more in paragraphs A.2(2)(v) and (vi). These specify that the development must be carried out in accordance with the approved details submitted with the application and within 5 years of the date of this approval. As such, there is no reason for me to impose any additional conditions.

Conclusion

24. For the reasons given above I conclude that the appeal is allowed and prior approval is granted.

L C Hughes

INSPECTOR