



Appeal Decision

Site visit made on 30 June 2025

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal Ref: APP/T2350/W/25/3362128

Land off Clerk Hill Road, Whalley, Clitheroe BB7 9DP

- 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 John Devenney against the decision of Ribble Valley Borough Council.
 - The application Ref is 3/2025/0037.
 - The development is described as: Proposed Erection of Agricultural Storage Building.
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Decision

1. The appeal is dismissed.

Background and Main Issues

2. Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (the Order) relates to development that can be undertaken within an agricultural unit of 5 hectares or more and allows for the erection of a building reasonably necessary for the purposes of agriculture within that unit. There is no dispute that the unit exceeds this size threshold.
3. The main issue is whether or not it has been demonstrated that the proposal would be reasonably necessary for the purposes of agriculture and would therefore be permitted development.

Reasons

4. The appellant states that the land is used for rotational sheep rearing and lambing, and that highland cows are kept elsewhere due to a lack of services on the land. Also, the existing buildings on the land are modest field shelters, which are in a poor state of repair. The appellant's stance is that as this area of the land does not benefit from having an agricultural building on it, servicing is extremely difficult.
5. Paragraph D.1 of Part 6 of the Order, states that 'agricultural land' means land which, before development permitted is carried out, is land in use for agriculture and which is so used for the purposes of a trade or business and excludes any dwellinghouse or garden.
6. Paragraph D.1 also confirms that an 'agricultural unit' means agricultural land which is occupied as a unit for the purposes of agriculture including any dwelling or other building on that land occupied for the purpose of farming the land by the person who occupies the unit, or any dwelling on that land occupied by a farmworker.

7. The proposal is described as an agricultural storage building and the submitted drawings indicate it would have a floor area of 223 square metres. I am told that it would primarily be used for storage; housing machinery and feed, sheep during lambing season, and potentially livestock during adverse weather conditions. However, no information is provided regarding the size and type of machinery that would be housed within the building, or the volume of feed required for livestock. Moreover, there is no information provided in relation to livestock numbers.
8. The application form states that the land has been in use for agriculture for the purposes of a trade or business for 16 years. During my site visit, I observed a small number of rare breed sheep in one field and some horses, but no indication of farm machinery or feed supplies within the unit, which might have indicated a trade or business.
9. The test is not one of 'absolute' necessity. Nevertheless, the onus is upon the appellant to demonstrate the need for the development, specifically in this case, how the proposal is reasonably necessary for the purposes of agriculture within the unit. The evidence presented falls short of convincing me on this point.
10. I observed the poor state of repair of the field shelters on the land, however this alone does not lead me to conclude that a new building is reasonably necessary for the purposes of agriculture.
11. I have taken account of the appeal decision referenced by the appellant relating to Cobblers Corner Farm (reference APP/J1860/W/21/3275583). However, I have no details of the evidence presented to the Inspector, and therefore I am unable to establish any direct parallels between this case and the scheme before me. Consequently, this decision does not alter my conclusion on the main issue. I have considered this appeal proposal on its own merits and concluded that it would be unacceptable for the reasons set out above.
12. Consequently, there is insufficient evidence to demonstrate that the requirements applicable to Part 6 of the Order have been met. As such, the proposal could not be permitted development under Schedule 2, Part 6, Class A of the Order.

Other Matters

13. The Council contend that, should it qualify as permitted development, prior approval would have been required and refused, in respect of siting, under the provisions of Condition (2)(i) of paragraph A.2 of Part 6 of the Order. Additionally, third parties have raised concerns over the impact of the development on landscape, archaeology, biodiversity, highway safety and drainage, as well as potential future land uses and waste management. However, given my finding that the proposal is not permitted development, there is no requirement to consider this matter any further.

Conclusion

14. For the reasons given above, I conclude the appeal should be dismissed.

E Heron

INSPECTOR