



Appeal Decision

Site visit made on 15 July 2025

by **N Kempton BAHons PGDip MA IHBC MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2025

Appeal Ref: APP/U2750/W/25/3362748

Wren Hall Farm, Wren Hall Lane, Drax, Selby, North Yorkshire YO8 8NG

- 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 Wren Hall Limited against the decision of North Yorkshire Council.
 - The application Ref is ZG2025/0077/AGN.
 - The development proposed is erection of a steel framed agricultural shed.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site address as stated on the planning application form is imprecise. The address in the banner heading is consistent with the address stated in the Council's decision notice, the submitted plans and the appeal form. Furthermore, it is consistent with the address referred to by both parties in correspondence.
3. Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO) permits the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area, works for the erection, extension or alteration of a building 'reasonably necessary' for the purposes of agriculture, subject to certain restrictions, limitations and conditions.
4. Sub-paragraph 2 of paragraph A.2-Conditions requires, amongst other things, the developer to 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.
5. Case law has established that it is legitimate to consider whether development would be permitted development in the first instance, before assessing compliance with any conditions.

Main Issues

6. The main issues are:
 - whether the proposed development meets the requirements of Class A, Part 6 of Schedule 2 of the of the GPDO such that it would constitute permitted development, and if so;

- the effect of the siting and design of the proposal on the character and appearance of the area.

Reasons

7. The appeal relates to a steel frame agricultural building with brick to the lower walls and Yorkshire boarding to the upper walls. The roof is covered with insulated steel cladding, which is green in colour. The appellant seeks prior approval for the erection of this agricultural building to store machinery, hay and potatoes.
8. For a building to be 'reasonably necessary for the purposes of agriculture within that unit', the structure itself and uses carried on within it must be reasonably necessary for the use of the land as an agricultural unit. The whole agricultural unit is the reference point.
9. In support of the appeal, the appellant has provided limited information regarding the nature, scale and infrastructure of the agricultural operations undertaken at the site. Whilst reference is made to agricultural use and the size of the existing landholding, little substantive evidence has been submitted to demonstrate the extent of land in active agricultural use or the operational needs of the unit. A list of machinery and equipment has been compiled, but justification for the scale and siting of the agricultural building in relation to the existing facilities, is largely absent.
10. For these reasons, it is not shown that the agricultural building meets the requisite criteria to fall within the scope of the GPDO.
11. The appellant states that without the new barn the operations will be severely constrained, and the farm business would be unable to grow and develop. Whilst I appreciate that the appellant will be disappointed with my finding, the onus is on them to demonstrate the need for the development in more broad statements. I am not convinced that the evidence presented is sufficient to show that the particular building proposed would be 'reasonably necessary' on the particular unit, as defined at the time of the application.
12. Accordingly, it has not been demonstrated that, on a balance of probability-through factual, objective evidence- that the agricultural building is 'reasonably necessary for the purposes of agriculture within that unit'. As such, the proposed development does not fall within the scope of Schedule 2, Class A, Part 6 of the GPDO and does not constitute permitted development.
13. It follows that further assessment of other restrictions, limitations and conditions of Class A, Part 6 is rendered unnecessary.

Other Matters

14. The appellant references a case where their neighbour secured prior approval for an agricultural building without having to demonstrate that it was 'reasonably necessary for the purposes of agriculture'. The appellant considers that the Council's decision making on that case is inconsistent with this current case, despite being larger, closer to a busy road and more visually intrusive than the appeal proposal. Few details of that application have been provided. As such, I am unable to draw any direct comparisons with the appeal development. In any event, I have assessed the appeal on its own merits in relation to the relevant

constraints of the GPDO in this instance. Hence, that example would not lead me to a different view.

Conclusion

15. I conclude that it has not been shown that the agricultural building is 'reasonably necessary for the purposes of agriculture within that unit'. For the reasons set out above it follows that the proposal would not fall within the scope of the permitted development relied upon under Class A, Part 6 of Schedule 2 of the GPDO. As such, it would not constitute development permitted.
16. The appeal is dismissed.

N Kempton

INSPECTOR