



Appeal Decision

Site visit made on 10 September 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14th October 2025

Appeal Ref: APP/J3720/W/25/3368968

Land east of Poolhead Lane, Earlswood, Solihull B94 5ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (the Act) 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) (GPDO).
 - The appeal is made by Palmers Farm Ltd against the decision of Stratford-on-Avon District Council.
 - The application Ref is 25/01052/AGNOT.
 - The development proposed is hay store and agricultural implements.
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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 hay store and agricultural implements at Land east of Poolhead Lane, Earlswood, Solihull B94 5ES in accordance with the application Ref 25/01052/AGNOT and the details submitted with it.

Introduction and Main Issues

2. Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England), Order 2015 (as amended) (GPDO) sets out that agricultural development, which is reasonably necessary for the purposes of agriculture, on units of 5 hectares or more is permitted development, subject to certain restrictions, limitations and conditions.
3. This includes a requirement that, under Paragraph A.2 (2) of Class A, the developer applies 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, amongst other matters.
4. The main parties are in dispute as to whether the appeal site is within an agricultural unit of more than 5 hectares, and whether the proposed building is reasonably necessary for the purposes of agriculture within the agricultural unit.
5. Whilst not representing a formal reason for refusal, the Council has indicated that if it had considered the agricultural unit to be over 5 hectares, it would have required prior approval for the siting of the building and due to its position in the field and landscape, which is designated as a Special Landscape Area (SLA), it would have been refused.
6. Accordingly, the main issues are:
 - whether the site is in an agricultural unit of 5 hectares or more;

- whether the proposed building is reasonably necessary for the purposes of agriculture within that unit; and
- whether prior approval should be granted having regard to matters of siting, design and external appearance.

Reasons

Whether in an agricultural unit of 5 hectares or more.

7. For the purposes of Schedule 2, Part 6, Class A of the GPDO, 'agricultural land' means land which, before development permitted by this Part is carried out, is land in use for agriculture and which is so used for the purpose of a trade and business, and excludes any dwellinghouse or garden. 'Agricultural unit' means agricultural land which is occupied as a unit for the purposes of agriculture.
8. The submitted Agricultural Appraisal identifies that the field the appeal site falls within extends to approximately 4.1 hectares and, along with a further 1.7 hectares at Valley Road, forms agricultural land owned and farmed by the appellant. In total, this extends to some 5.8 hectares. It adds that a further 5.8 hectares of land at Brooks Farm, not in the appellant's ownership, but adjacent to Valley Road and subject to an annual grazing licence, creates a total agricultural unit of 11.6 hectares.
9. There is no dispute between the main parties that the land the proposed building would be located on is agricultural land, and from my observations on site, where the site appeared to be used for the production of hay crop, I have come to the same conclusion.
10. It is set out by the appellant that the land at Valley Road, accessed through other land in its ownership, had been left as fallow land between 2020 and 2024 and is now being restored. Whilst fallow land is not productive, the appellant sets out that it still represents arable land and is thereby agricultural land. I have no reason to disagree with this position. The lack of fencing to the land does not impact upon its status as agricultural land.
11. In respect of the further 5.8 hectares, it is not necessary for an occupier to own agricultural land for it to form part of an agricultural unit, and I note a signed grazing licence for the land not in the appellant's ownership has been granted until 1 January 2027.
12. The appellant disputes the Council's claim that the rented land is used for grazing cattle and argues that it may have viewed horses grazing on adjacent land rather than the land in question. However, this has not led me away from my judgement on the submitted evidence, of this being part of the same agricultural unit. Moreover, there is undisputed evidence before me that the land here has had hay conserved by the appellant since approximately 2015.
13. Based on the above factors, as well as the appellant's Single Business Identifier and County Parish Holding numbers, which relate to a farmer or business that is actively involved in agricultural activities, I conclude that the land is an agricultural unit of 5 hectares or more, in accordance with Paragraph A of Schedule 2, Part 6, Class A of the GPDO.

Whether reasonably necessary for the purpose of agriculture

14. The proposed building would be for the storage of fodder and machinery principally associated with the business of hay production and livestock grazing. The building would also provide storage for equipment necessary for the general maintenance of the agricultural unit, including fencing materials. Calculations of the expected hay baling output have been provided, including the undercover space required to protect them from the elements and to maximise its nutrient value, as well as details of types of machinery and their required storage area.
15. In conclusion, I am satisfied that the proposed building is reasonably designed and commensurately sized for the purpose of storing hay and associated machinery on the agricultural unit. Consequently, the proposed building would be reasonably necessary for the purposes of agriculture, in accordance with paragraph A of Schedule 2, Part 6, Class A of the GPDO.

Siting, design and external appearance

16. The appellant claims that 28 days had expired without a determination as to whether approval was required. However, based on the evidence before me, the Council issued their decision notice stating that prior approval was refused within 28 days of the submission date.
17. Paragraph A2(2)(i) of the GPDO requires determination as to whether prior approval is required as to the siting, design and external appearance of the proposed building.
18. The Council makes reference to the site falling within a Special Landscape Area. The appellant argues that this is a policy designation of the development plan and not a valued landscape in the context of paragraph 187 of the National Planning Policy Framework. However, no details of the status of this designation have been provided. In any case, the provisions of Class A do not require regard be had to the development plan.
19. The proposed building would measure approximately 24.7m long, 10.5m deep and 7m to the ridge, consisting of profile metal sheets to the roof and metal cladding to the walls, both finished in a dark green colour. The lower section of the walls would have concrete panels, and 3 roller shutter doors would be located to its southeast elevation. It would be positioned towards the eastern edge of the field, against a backdrop of established trees along its boundary to an adjoining field and would have an appearance typical of an agricultural building. The appeal site is surrounded by undulating countryside with sporadic pockets of development including housing as well as a number of nearby commercial and industrial sites of noticeable size along Poolhead Lane.
20. Set back from Poolhead Lane, views of the proposed building would be limited to glimpses through vegetation as well as from the access. Consequently, due to its positioning away from the highway and adjacent to trees, the proposed building would be unlikely to draw attention and would not appear as a dominant or incongruous addition in the landscape. As such, the proposal is in accordance with the Framework in ensuring that development is sympathetic to local character.

21. For the above reasons, I conclude that the siting, design and external appearance of the proposed building would be acceptable. Prior approval should therefore be granted.

Other Matters

22. I note the comments from the Parish Council. I have assessed the appeal based on the plans and details before me and these comments have not led me to an alternative conclusion.

Conditions

23. Development under Schedule 2, Part 6, Class A is permitted subject to conditions set out at Paragraph A.2 under Class A, which include that the development must be completed within a period of five years starting with the prior approval date. For this type of development, the GPDO does not provide any specific authority for imposing additional conditions beyond those listed as above.

Conclusion

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

P Barton

INSPECTOR