



Appeal Decision

Site visit made on 14 October 2025

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 29th October 2025

Appeal Ref: APP/P0240/W/25/3367927

Land West of Gamlingay Road, Potton SG19 2RJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (TCPA90) 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 Mr J Bartram of Westgate Farms Ltd against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/00101/AG.
 - The development proposed is described as, 'general purpose agricultural barn for the storage of hay and agricultural machinery'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal form indicates that the description of development has changed from that stated on the application form to include hardstanding. The Council has assessed the scheme including hardstanding. Accordingly, I have assessed the scheme on this basis.

Main Issue

3. The main issue is whether or not the proposed development would be granted planning permission by Article 3, Schedule 2, Part 6, Class A of the GPDO.

Reasons

4. Article 3, Schedule 2, Part 6, Class A of the GPDO permits the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of (a) works for the erection, extension or alteration of a building; or (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit.
5. The proposal is for the erection of a hay barn for the storage of hay and agricultural machinery associated with its harvest and production. Currently, hay is taken from the adjacent land and stored elsewhere. The proposed building would enable the hay produced on the land to be stored on the site along with associated machinery.
6. There is a dispute between the parties as to whether the proposal is reasonably necessary for the purposes of agriculture, and whether the site and land is used for the purposes of a trade or business and therefore constitutes agricultural land.

7. With regard to whether the works are reasonably necessary for the purposes of agriculture, the building size falls within that permitted by the GPDO. I note the number of bales of hay taken off the land last year and the number of hay bales per cut. Although the proposed use is for the storage of hay including circulation, fertilizer and associated machinery, the estimated amount of hay to be stored in terms of volume and number, and size of machinery has not been provided.
8. I also note that the building is an investment to support the growing enterprise, however further details regarding such investment are not before me. In addition, I am mindful that the proposed building is to serve the two relatively modest fields outlined in blue in the location plan. Accordingly, insufficient information has been provided to demonstrate that the proposed building is reasonably necessary.
9. The current arrangement of hay being transported and stored elsewhere may not be sustainable. In addition, the evidence indicates that economic investment in the farm and investment in a building suitable to store the hay and machinery would be sensible. However, the need for the building for both current and future use compared with the size of the agricultural unit it would serve has not been justified. Therefore, in the absence of evidence to demonstrate otherwise, the proposed building is not reasonably necessary.
10. Agricultural land is defined in the GPDO as land, which before development permitted by this Part 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.
11. While agriculture is not defined in the GPDO, it is defined in section 336(1) of the TCPA90 and includes a number of uses such as horticulture, fruit growing, seed growing and the use of land as grazing land and meadow land.
12. While I acknowledge evidence regarding verbal conversations between the parties, I have necessarily based my assessment on the evidence before me. During my site visit I observed that the site and surrounding area consists of undeveloped open fields. The Appellant states that the land is currently arable agricultural land used for the growing of hay for silage. I have no reason to disagree. Therefore, the site falls within the definition of agriculture in the TCPA90.
13. Whether or not the site is part of an agricultural holding relates to the land being subject of a contract for an agricultural tenancy. This matter therefore does not demonstrate whether or not the land is agricultural land for the purposes of the GPDO.
14. In terms of whether the use is for the purposes of a trade or business, a letter from the Appellant's accountant confirms that with respect to the status of Westgate Farm Limited as a business and its association with the land, it is a registered farming business.
15. For the foregoing reasons the site consists of agricultural land comprised in an agricultural unit and the proposal satisfies this part of the GPDO. However, as insufficient information has been provided to demonstrate that the proposed building is reasonably necessary, the proposed development does not benefit from Part 6 of the GPDO.

16. Consequently, the proposed development would not be granted planning permission by Article 3, Schedule 2, Part 6, Class A of the GPDO.

Other Matters

17. Although financial statements have been provided as part of the appeal, it is not necessary to demonstrate that the business is making a profit to determine whether the land is being used for a trade or business. As discussed above, as insufficient information has been provided to demonstrate that the proposed building is reasonably necessary, the proposed development does not benefit from Part 6 of the GPDO. Accordingly, this evidence has not been determinative for my overall decision.

Conclusion

18. For the reasons given above, I conclude that the appeal is dismissed.

R Sabu

INSPECTOR