



Appeal Decision

Site visit made on 1 July 2025

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2025

Appeal Ref: APP/A0665/W/25/3361669

Land off Broad Lane, Sproston, Northwich (Grid Ref Easting: 347308

Grid Ref Northing: 366059)

- 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 G Richardson Agri Ltd. against the decision of Cheshire West and Chester Council.
 - The application Ref is 24/02670/AGR.
 - The development proposed is general purpose agricultural building.
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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 a general purpose agricultural building at Land off Broad Lane, Sproston, Northwich (Grid Ref Easting: 347308 Grid Ref Northing: 366059) in accordance with the application 24/02670/AGR and the details submitted with it.

Application for costs

2. An application for an award of costs was made by G Richardson Agri Ltd against Cheshire West and Chester Council. This application is the subject of a separate decision.

Preliminary Matters

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 of an agriculture unit of 5 hectares (ha) or more in area of works for the erection of a building which is reasonably necessary for the purposes of agriculture within that unit. Paragraphs A.2.(1) to (7) of Class A set out a range of conditions that the permission granted by Class A is subject to. Amongst these, paragraph A.2.(2) states that the developer is required to apply to the local planning authority for a determination as to whether its prior approval will be required as to the building's siting, design and appearance.

Main Issues

4. The main issues are:
 - whether the proposal would constitute permitted development under Schedule 2, Part 6, Class A of the GPDO having regard to whether the building would be reasonably necessary for the purposes of agriculture within the unit; and if so

- the effect of the siting, design and external appearance of the proposed building upon the character and appearance of the area.

Reasons

Permitted development

5. The site comprises a 1.2ha piece of land off Broad Lane. The appellant owns an additional 10.5ha at Moorsbarrow Lodge. Together, these land parcels constitute the agricultural unit. The appellant has explained that the enterprise farms the land to produce hay and haylage for sale on a commercial basis. The proposal would enable them to expand the business.
6. The test as to whether the proposal would constitute permitted development is not whether the development is absolutely necessary but rather whether it is reasonably necessary.
7. There is an existing agricultural building adjoining the site of the proposed building. Evidence in the Planning Statement indicates that this building is used to store agricultural equipment. I do not consider it unreasonable that high value equipment is stored undercover for security purposes and to prevent damage from adverse weather.
8. The appellant states that the additional storage space is necessary as they seek to expand their business and increase the yield of hay and haylage by taking up to three cuts per year. The submitted photographs show the volume of one annual crop, which I also saw on my site visit. Based on the figures presented by the parties and accepting that an element of undercover storage for machinery is also reasonable, I find that the size of the proposed building would not be excessive for the agricultural needs of the unit.
9. The council contends that there are other buildings at Moorsbarrow Lodge within the ownership of the appellant which are leased to a third party which could be utilised for the purposes of storing hay and haylage. The buildings at Moorsbarrow Lodge are some distance away. It appears to me that a building in the proposed location would better meet the needs of an expanded hay and haylage business, not least because the proposed agricultural building is next to an existing building used for a similar purpose.
10. Although the buildings at Moorsbarrow Lodge are leased on a short-term contract they are utilised for equestrian uses. I do not consider it reasonable to evict the tenants on the basis that they could be used by the appellant. Should further agricultural buildings be required on the site, they would be subject to the same reasonably necessary test for the Council to consider.
11. 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.

Siting, design and external appearance

12. As the Council did not consider that the proposal was reasonably necessary for agriculture, it did not go on to consider the effect of the siting, design and external appearance upon the character and appearance of the area.

13. The building would be located adjacent to an existing agricultural building and would be of a similar design and materials, which is typical of agricultural buildings in the local area. It would share the same access and the existing hardstanding would be extended to serve the new building.
14. Overall, the height, design and appearance of the proposed building would be that of a typical agricultural building which would not look uncharacteristic in its location and it would be in keeping with the existing building adjacent to it.
15. The siting, design, and external appearance of the proposed development would not have an unacceptable impact on the character and appearance of the area. It would therefore meet the requirements of Class A, Part 6, Schedule 2 of the GPDO and a grant of prior approval is justified.

Conditions

16. The GPDO does not provide any specific authority for imposing additional conditions beyond the deemed conditions 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. Additionally, the developer must notify the local planning authority within 7 days of the date on which the building is substantially completed.

Conclusion

17. For the reasons given above, I conclude that the proposal would be permitted development and would be acceptable with respect its siting, design and appearance. I therefore conclude that the appeal should be allowed.

H Senior

INSPECTOR