



Appeal Decision

Site visit made on 6 January 2026

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 February 2026

Appeal Ref: APP/X0415/W/25/3374213

Bowers Mill Farm, Magpie Lane, Buckinghamshire, Coleshill HP7 0LU

- 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 & Mrs Herbert against the decision of Buckinghamshire Council - East Area (Chiltern).
 - The application Ref is PL/25/1232/AGN.
 - The development proposed is agricultural barn for machinery and general farm storage.
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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) (England) Order 2015 ('the Order') permits the erection of a building reasonably necessary for the purposes of agriculture on agricultural land comprised in an agricultural unit of 5 hectares or more. To qualify as permitted development, the proposal must also comply with the further limitations and conditions set out in Part 6.
3. The Council asserts that it has not been demonstrated that the proposed building is reasonably necessary for the purposes of agriculture within the unit and therefore contends that the development does not fall within Schedule 2, Part 6, Class A of the Order.
4. For development to be permitted under Class A, the building must be sited on "agricultural land comprised in an agricultural unit" and be "reasonably necessary for the purposes of agriculture within that unit."
5. For the purposes of Class A, Part 6 D.1. defines "agricultural land" as land which, before development permitted by this Part is carried out, is in use for agriculture and is used for the purposes of a trade or business. My underlining.
6. The Order does not define "agriculture." The appropriate definition is therefore taken from s336(1) of the Town and Country Planning Act 1990, which provides a non-exhaustive list of agricultural activities, including horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock, the use of land as grazing or meadow land, osier land, market gardens and nursery grounds, and woodland use where ancillary to the farming of land for other agricultural purposes.
7. In determining whether the proposal constitutes permitted development under Schedule 2, Part 6, Class A, I am required to consider all of the relevant limitations

and conditions. The evidential burden rests with the appellant to demonstrate compliance. Although the parties' submissions focused on the functional need for the building, Part 6 D.1. makes clear that the land must be in agricultural use as part of a trade or business. Whether or not this matter was expressly addressed in the representations, it forms an integral component of the Class A framework, and I must therefore consider it as part of my assessment.

8. The Council also alleges that the siting of the proposed building would adversely affect the character and appearance of the area.
9. Accordingly, the main issues are:
 - i) Whether the appeal proposal would be permitted development under Part 6, Class A of the Order, and;
 - ii) If the proposal is permitted development under Schedule 2, Part 6, Class A of the Order, whether the prior approval will be required as to the siting, design and external appearance of the building.

Reasons

Permitted development

10. I am advised that the proposed building is required to support the agricultural use of the 33-hectare landholding. The application and accompanying submissions state that the building is needed to store machinery, equipment and a tractor, to operate as a workshop, and to reduce vehicle trips to the site. The appellants also refer to the presence of temporary storage containers, the loss of a previous agricultural building, and the need for secure accommodation for equipment associated with both land management and future livestock operations. While these matters relate to the appellants' view of the functional need for the building, they cannot be determinative unless the requirement for commercial agricultural use is first satisfied.
11. The appellants describe a range of activities undertaken on the land, including the planting of trees and hedgerows, the creation of wildflower meadows, and the maintenance of boundaries, ditches and other land features. While these activities demonstrate that the land is actively managed, they do not in themselves demonstrate that it is used for agriculture as part of a trade or business.
12. Although a local farmer is said to cultivate some fields, no evidence has been provided to show that this forms part of a commercial agricultural enterprise involving the appellants. Ownership of machinery and the undertaking of land-management tasks likewise does not demonstrate commercial agriculture, as such activities may equally relate to private use.
13. Reference to the previous keeping of sheep and an intention to reintroduce livestock does not assist, as Part 6 of the Order requires evidence of current agricultural use for the purposes of a trade or business.
14. The appellants acknowledge that they are not reliant on the farm as their only source of income, and no evidence has been provided to show that the land generates any agricultural income at all. Under Schedule 2, Part 6, Class A, the building must be reasonably necessary for the purposes of agriculture within an

agricultural unit, but occasional or speculative use by a local farmer does not demonstrate that the appellants are operating a commercial agricultural enterprise. It therefore does not establish a commercial agricultural need for the building for the purposes of Part 6 of the Order.

15. The submitted 'Statement of Agricultural Need' indicates, in response to the first two questions, that both the existing land use and the proposed building are for private purposes. In the interests of fairness, I have nevertheless considered this document alongside all of the appellants' submissions and taken the evidence as a whole into account in reaching my assessment.
16. In the absence of substantive evidence that the land is used for agriculture as part of a trade or business, the proposal fails to meet the requirements of Schedule 2, Part 6, Class A of the Order. It has therefore not been shown that the development qualifies as permitted development.

Whether the prior approval will be required as to the siting, design and external appearance of the building.

17. Given my conclusion on the first main issue, it is not necessary for me to consider prior approval for the siting, design or external appearance of the proposed building.

Conclusion

18. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR