



Appeal Decision

Site visit made on 2 March 2026

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2026

Appeal Ref: APP/E2530/W/25/3377087

Bailey Bridge Farm, Holme Lane, Claypole, Lincolnshire NG23 5AP

- 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, Paragraph A.2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by H Allen against the decision of South Kesteven District Council.
 - The application Ref is S25/2049.
 - The development proposed is the erection of a Dutch barn.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by H Allen against South Kesteven District Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is whether the proposed development would be granted planning permission by Article 3, Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), with regard to whether the proposed development is reasonably necessary for the purposes of agriculture within the unit.

Reasons

4. In order to be permitted development under Part 6 Class A of the GPDO, it is necessary that the development is carried out on agricultural land comprised in an agricultural unit of 5 hectares or more. Furthermore, the development cannot be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area. Whilst the Council considers that the red line site plan does not adequately demonstrate this would be the case, I am satisfied from the submissions that are before me that those qualifications are met in this instance, because the land which is under the appellant's ownership is stated as exceeding both of those figures in the relevant respects.
5. The matter of what total size the agricultural unit should be taken to be is less clear. The appellant refers to some 49.51 hectares of land being rented on farm business tenancies (FBTs) and 40 hectares on annual licenses. Whilst the appellant states that FBTs can be informal/oral, they do not confirm whether that is actually the case with respect to any of the seven parcels of land identified. If FBTs exist in writing, they would confirm the land to be part of the unit and provide

evidence of any security of tenure that exists. Even if the FBTs are informal/oral, it is stated that they are long standing arrangements. As such, it would be expected that there would be some documentary evidence available to indicate the past yields taken from each parcel annually and on what basis it was taken. An interested party further contends that one of the parcels of land identified is in fact in use as a caravan and camping site, which is a point that the appellant does not address in their final comments. This along with the lack of clarity on the FBTs and the other parcels of land creates a significant degree of uncertainty. As a whole, evidence that would confirm the full extent of the agricultural unit is lacking.

6. This in itself results in ambiguity in terms of whether the proposed building would be reasonably necessary for the purposes of agriculture within the unit, because this depends at least to some degree on the yield of product produced within the unit. There is further uncertainty in terms of any hay and straw brought onto the site as a result of the appellant's contracting business. There would to my mind be a difference if that product is brought onto the site for processing and storage before sale, as opposed to being there only to meet the needs of the holding and the livestock kept on it. If it was the former, I would have strong reservations that this element would be agriculture within the unit. Both the Council and the interested party have outlined concerns in this regard.
7. The appellant refers in their final comments to the contracting side being ancillary to the main farming activity. It is not clear however whether that is the same as their position set out in their Statement of Case that only a limited additional amount of hay and straw, to meet the needs of the holding, derives from the contracting work. It implies instead a separation between the two entities as opposed to the contracting business merely supplementing the needs of the main farming activity where it comes to hay and straw. Again, it would seem to me that as an established business it is reasonable to expect that the appellant would be able to provide some form of documentary evidence to support their case, in particular on the ancillary point, and to counter the uncertainty that exists based on their current submissions.
8. In conclusion, I find that insufficient information has been provided to support the appellant's position on the size of the agricultural unit and the provenance and purpose of the hay and straw to be stored in the building. These matters go to the heart of whether the proposed building would be reasonably necessary for the purposes of agriculture within the unit. The onus is on the appellant to demonstrate that this requirement of the permitted development legislation would be met, and I see no reason why they cannot, and have not, produced additional and more conclusive evidence in each regard.
9. The Council does not raise concern about the siting, design or external appearance of the proposed building. However, in light of my findings above, I need to go no further in my determination of this appeal.

Conclusion

10. For the reasons given above, the appeal should be dismissed.

Graham Wraight INSPECTOR