

PART 6

Department of the Environment
Planning Service of Northern Ireland

REVIEW OF
PERMITTED DEVELOPMENT RIGHTS

REPORT

by

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September 2003

10.0 PART 6: AGRICULTURAL BUILDINGS AND OPERATIONS.

10.1 This Part gives permitted development rights for various agricultural buildings and operations.

10.2 Class A of Part 6 permits the carrying out on agricultural land in an agricultural unit of works for the erection, extension or alteration of a building or any excavation or engineering operations. All have to be “reasonably necessary for the purposes of agriculture within that unit”. Development is not permitted (A.1) if:

- (a) It is on agricultural land less than 0.5 ha. in area;
- (b) it is for the erection, extension or alteration of a dwelling;
- (c) a building, structure or works not designed for the purposes of agriculture is provided;
- (d) the nearest part of the development is (i) more than 75 m from the nearest part of a group of principal farm buildings and where it is (ii) more than 300 sq.m in ground area and less than 75m from a dwellinghouse not associated with the agricultural unit;
- (e) the ground area of any works, structure, plant, machinery or building erected, extended or altered would exceed 300 m²;
- (f) the height within 3 km. of an aerodrome exceeds 3 m, or elsewhere 12 m;
- (g) within either 9 or 24 m of the edge or middle of a road, depending on its classification.

10.3 There are no restrictions within designated sensitive areas such as AONBs, National Parks or ASSIs.

10.4 Part 6 of the English GPDO differs significantly from the Northern Ireland approach and is highly complex. It distinguishes between larger (more than 5 ha.) and smaller (0.4 – 5 ha.) farm holdings in Classes A and B respectively. Other main differences are restrictions in National Parks, a higher building size limit (of 465 m²), prior approval requirements for “significant” development and distance restrictions between livestock/slurry/sludge accommodation and protected buildings e.g. dwellings.

- 10.5 The English GPDO also permits waste materials to be brought on-site for certain works, if incorporated “forthwith”, and providing that the height of the land is not “materially increased” by the deposit. Removal and restoration of buildings or extensions is required, in Classes A and B, if agricultural use permanently ceases.
- 10.6 Class B of Part 6 of the Northern Ireland GDO permits the winning and working on land used for agriculture of any minerals “reasonably necessary” for agricultural purposes within the unit of which it forms part. Excavation must again not be within either 9 or 24 metres of the edge or middle of the road depending on the classification of the road. Unlike the English GPDO, conditions require the land to be levelled, top soil replaced and the land to be restored to its former condition before the extraction took place. The purposes of agriculture for which extracted minerals can be used are defined.
- 10.7 Class C permits the construction, formation, laying out or alteration of a means of access to a road, unless it is required in connection with development for which a planning application is necessary or the land is within a site of archaeological interest. This Class is not separately included in the English GPDO but provision etc. of a means of access is included in Classes A and B.
- 10.8 Part 6 permitted development rights in Scotland are similarly complex to those in England. They apply to all holdings of over 0.4 ha. and therefore, as in Northern Ireland, there is just one Class for buildings etc. However, floorspace limitations and distance requirements most closely follow the English GPDO. Waste is referred to. A prior notification/approval procedure also applies in similar circumstances to England but only for a “significant” building, alteration or extension, or for the formation or alteration of a private way. Land drainage works are also permitted.
- 10.9 Exempted development in rural areas in the Republic of Ireland applying to agricultural structures includes 5 classes e.g. for small roofed structures for livestock, and other structures (up to 200 m²), stores (of up to 300 m²) and manèges. Land reclamation is also exempted development, if for various defined purposes (including marshland reclamation if

not contrary to a development plan objective for the area). Miscellaneous provisions include other works for housing greyhounds (up to 50 or 100 m²). The use of up to 100 ha. of uncultivated land for intensive agricultural purposes is also exempted development, as is peat extraction (subject to an area limit).

10.10 In November, 1996, the DoE (NI) drafted a Consultation Paper, "Review of Planning Control over Agricultural Development", although this was not issued. This paper would have invited comment on some suggested changes to the permitted development rights granted to agricultural buildings and operations by the 1993 GDO. It highlighted some concerns about agricultural developments, relating to:

- the environmental impact of farm buildings and farm roads;
- the fragmentation of farm holdings;
- impact on residential amenity;
- redundancy and conversion;
- the misuse of permitted development rights.

10.11 Perceived problems identified as arising from Part 6 of the GDO related to:

- interpretation and definitions;
- the size of holding;
- the scale of buildings or structures which could be erected within 75 m of a group of existing farm buildings;
- there being no control over cumulative impact;
- first buildings on holdings not having to have express planning permission;
- there being no variation between the different uses of agricultural buildings e.g. for livestock or for slurry or sewage sludge.

10.12 The suggested changes to agricultural permitted development rights put forward in the draft Consultation Paper included introducing a two tier system; one applying to holdings of more than 5 ha. and one to those of between 0.5 and 5 ha. Within each new class, changes related to: full planning permission being required for the erection of the first farm building, height, volume, distance and area limits and the particular use. The purpose of the new

limitations was described as being to prevent over-development on small parcels of agricultural land, while accepting that some forms of intensive agriculture existed on holdings of less than 5 ha.. In both classes, the area of a dwellinghouse and garden would be excluded from the measured area i.e. that benefiting from agricultural permitted development rights. However, none of the suggested changes were consulted upon nor, of course, implemented.

Issues

- 10.13 Consultation responses from all parties showed a high level of criticism of Part 6, which was seen as one of the most problematic Parts, together with Part 1. Part 6 was cited as being poorly drafted and inconsistent with Government policy for sustainable development; for safeguarding the character of the countryside; the Green Belt; development in flood plains; access; and the Northern Ireland waste management strategy. However, it was also cited as not supporting Government policy aims for farm diversification and maintaining/enhancing the rural economy.
- 10.14 Specific points raised by operators, users and interest groups regarding Part 6 are therefore summarised below, in terms of general and then detailed concerns:-

General Concerns

- 10.15 Part 6 permitted development rights were perceived as being too loose, according to operators and interest groups, and “requiring major scrutiny”. A wholesale review was seen to be required, to simplify the Classes, as their complexity leads to adverse effects. The Classes were seen as poorly drafted, with poor grammar and double negatives making them generally difficult to understand. Problems also arose from the interpretation and definitions of:-
- “agricultural land”;
 - an agricultural unit;
 - “reasonably necessary”;
 - “livestock” (i.e. whether it includes poultry or horses);
 - “engineering operation” (e.g. whether this includes the importation of waste).

- 10.16 Planning Service officers commented that agricultural permitted development is very difficult to monitor, in terms of whether it relates to land genuinely in agricultural use. There is also no way of knowing in advance of the proposed implementation of agricultural permitted development rights. Farm buildings are often erected as permitted development but may in fact need planning permission. A planning problem then arises if the farmer wants to diversify. The impact on residential amenity in terms of siting was a specific problem cited with agricultural permitted development rights.
- 10.17 Other Government departments and agencies were of the view that greater controls were needed in areas of sensitive landscape, as major issues arise in such areas where land acquired is in agricultural use and agricultural permitted development buildings can be just as harmful as buildings requiring planning permission. Even derelict houses in the countryside are being used for agriculture and then agricultural permitted development rights are used for new buildings (or planning permission applied for). Farm buildings can also be unacceptably sited in relation to historic monuments, even if they are not immediately adjacent to them.
- 10.18 When there was grant aid for the construction of farm buildings, the Department for Agriculture and Rural Development (DARD) was able to have an input and control building size and siting. The consequence of this past involvement was seen by all parties as less harm being caused to the countryside. In any event, poultry houses are now the main type of agricultural building being developed and these have to obtain planning permission due to their size (1,000 m² gross).
- 10.19 New agricultural tracks were identified as a further problem, due to their length, inappropriate materials and their use to reach previously inaccessible areas by vehicle. They can have detrimental landscape and drainage effects. Rights of way are often intentionally eradicated by agricultural permitted development rights being implemented, as the district councils have not kept records of routes up to date.

- 10.20 Finally, it was indicated that very high volumes of waste were being brought onto farms and deposited. This illegal dumping of waste is a problem, as it is often used for the filling in of bogs and then results in a planning application for a dwelling. Farmers' groups, however, saw the importation of waste more as "a bit of a grey area", with waste disposal being regulated by other legislation but it was acknowledged that problems arise with farmers accidentally importing biodegradable waste, leading to pollution. Such tipping adjacent to an ASSI could similarly cause pollution problems.
- 10.21 Users otherwise had few comments or concerns regarding problems and concerns arising from Part 6. Their main point, in addition to the comment on waste above, was that Part 6 permitted development rights "double" the regulations of construction standards for farm buildings/structures. This lack of detailed comment from users may be largely due to only the most minor permitted (and other) development being undertaken for agricultural purposes at the present time, due to the absence of grant aid for new buildings.
- 10.22 The wider view of the users of Part 6 permitted development rights and their representative organisations was that over the last 8 or 9 years, in spite of all the initiatives to increase rural prosperity/tourism/diversification, farmers remain very deprived. Even where a farmer has a larger land holding, the economic problems are just a little less obvious. If the Planning Service view was that Part 6 did not limit development sufficiently, user organisations were of the view that other legislation/regulations prevent harm. Farmers may be trying to improve their operations but the overlap and complexity of legislation and regulations for agriculture generally are excessive and inappropriate.
- 10.23 Interest groups had, as might be expected, wider ranging and mainly environmental concerns. In principle, the cumulative impact of agricultural permitted development rights on the quality of the rural environment was a major concern, and also, impact on biodiversity. There was a perception that Part 6 gives agriculture a favoured position, allowing larger buildings than are refused in planning applications e.g. for new dwellings in the countryside.

- 10.24 The size limit of 300 m² for permitted agricultural buildings was seen by interest groups as being too large, particularly in sensitive landscape areas. In contrast, the Planning Service noted that it was too small from a farmer's point of view. As also noted by the Planning Service, interest groups were concerned that buildings/extensions are erected on the pretext of being for agricultural purposes but it soon becomes clear that they are not. Changes of use are then granted planning permission anyway, as the building has already been erected.
- 10.25 Interest groups also referred to the considerable potential for permitted development rights to lead to damage to sites of nature conservation importance, such as ASSIs, mainly by development outside designated sites. If just outside an ASSI, there is no control on permitted development e.g. there can be harmful impacts of drainage, pollution and infilling works. Some agricultural buildings are built too close to lakes, causing pollution and with no tree screening to limit visual impact.

Detailed concerns

- 10.26 The following detailed concerns were raised by the Planning Service and/or interest groups:
- uncertainty arises from Class A.1(c), as to whether it removes Part 6 permitted development rights if a planning permission has been granted for another use;
 - confusion is also caused by Part 6, Class A1 (d)(i) and (ii), and the use of the word "and" to link them, as this can lead to sizeable buildings being erected if only within 75 m of a group of existing farm buildings and no other non-farm dwelling, or other buildings erected in the last 2 years;
 - while Part 6 limits development within 75 metres of another dwelling, there is no similar limitation on the siting of a new dwellinghouse in the countryside in close proximity to a farm. This was not perceived to be an issue, however, according to the Planning Service;
 - Class A.1(g), and the distance restrictions from different categories of roads, mean that much agricultural development is not permitted but farmers are not aware of this and the Planning Service do not enforce, as it is not seen to be expedient when it is not perceived to be a problem. There is also a contradiction in Article 3(5) with Part 6, Class C. This Class allows the formation of an access which Article 3(5) prevents on classified roads or where there is an obstruction to view;
 - the 2 year time limit before exercising further development rights cannot be easily checked (Class A.2(1)(b)).

- 10.27 Lastly, Class B for winning/working minerals was seen by the aggregates and minerals industries as being abused by the farmers, with minerals being taken off-site for use elsewhere.
- 10.28 Opposing views were expressed by consultees on whether “horsiculture”, a growing rural industry based on livery and riding schools, was a problem. Government departments/agencies were of the view that it is, or at least is beginning to be, a problem in sensitive areas such as the Mournes.

Scope for Change

- 10.29 Part 6 is clearly a problematic part of the GDO, giving rise to a range of material planning issues. The desired outcome of Part 6 permitted development rights must be to permit farmers to proceed with modest development on their land, required to meet genuine and realistic agricultural (and countryside stewardship) needs. Such development must be in scale with and in the character of existing buildings, and not detrimental to the landscape, to amenity and the environmental quality of the land.
- 10.30 Similar to Government departments and interest groups, the representative organisations stressed that farmers want to see a balanced approach and the attractiveness of the environment not threatened by harmful development. Certainly some farmers are aware of development constraints e.g. in archaeological areas and ASSIs and they will respect protected areas/landscapes/species if informed of the reasons for doing so. Like others, they can then appreciate their significance, as the past focus on intensive agriculture is being superseded by the current approach of the European Union (EU) and others.
- 10.31 Users’ representatives therefore considered that permitted development rights should be revised, to help deliver Government policy to maintain and enhance the rural economy more, as farmers improve the quality of the rural environment by helping to create a living, working countryside. There was, however, seen to be a conflict between national agricultural policy and development control. The Planning Service is perceived as showing a lack of understanding of farming, and taking too strict an approach to permitted development. This

is particularly the case in the context of farm diversification, which DARD, through “Rural Connect” is seeking to implement. This initiative provides advice to help farming families understand the services available from DARD, as rural development funding is now so complicated and some premiums are being slashed to fund rural enterprise. DARD promotes planned businesses in the countryside, for the countryside to be kept viable.

- 10.32 The issue is therefore seen as being one of maintaining a balance between the Planning Service keeping some control over agricultural development but allowing rural businesses to flourish. Farm diversifications are generally small businesses with 1 or 2 people employed, and often only part-time. Very few become major employers. Already, many farmers have other off-site employment, based on historic land ownership arrangements and farming patterns.
- 10.33 The Northern Ireland countryside is characterised by its scattered distribution of farms and houses. This creates an impression of a populated countryside, where world-wide trends in the last 25 years of more intensive farming methods have led to increased outputs, a reduction in agricultural employment, restructuring and diversification. These trends will continue, although intensive production is being replaced as a key objective by more environmentally aware methods. Farming remains the major land user in rural areas, with 99% of farms being owner-occupied. Average farm size has increased, and it is recognised by the Government that additional sources of income are likely to continue to be necessary for the foreseeable future, to retain farm viability. Agri-environment schemes for agreed environmental enhancement have been introduced to support farm incomes but these schemes tend to be taken up by owners of the more viable holdings, as those have some capital available.
- 10.34 A criticism of the Planning Service was that there is not a recognition of the need for farmers to diversify on-site and not in local business centres. The Planning Service responded that normally, if a planning application is made by a bona fide farmer for some form of minor diversification, planning permission will be granted. However, users referred to difficulties

in obtaining change of use permissions e.g. for small engineering businesses (mostly for employing farmers and their farm staff).

10.35 Delays in determining applications have led to a view amongst farmers that it is not advisable to make a planning application for change of use, due to the time taken in the process to get permission for diversification and the likelihood of refusal.

10.36 Thus, in putting forward proposed changes, particular regard has to be paid to the Government's commitment to maintain a strong, sustainable, competitive, environmentally-friendly and diverse agricultural industry, and to reduce as far as possible, regulatory burdens on farmers given the longstanding difficulties facing the industry in Northern Ireland.

10.37 From the above concerns raised in the consultation process, it is evident that regulators, third parties and pro-conservation interest groups would like to see full planning controls replace Part 6 permitted development rights, particularly in sensitive areas, with these consultees questioning why farmers should have greater permitted development rights than e.g. residential or other employment uses.

10.38 In direct contrast, there was also a general perception amongst farmers that new housing in the countryside is not as heavily controlled as farm diversification. Farmers and their representatives therefore seek the retention of existing Part 6 permitted development rights. However, it cannot be in the interests of the farming industry for Part 6 to be hard to understand and perceived as having "to be got around", as is currently the case. While the workload of the Planning Service may be reduced by Part 6 permitted development rights, enforcement to ensure compliance cannot be relied on in rural areas, where it is often extremely difficult to locate and then substantiate what is unauthorised development.

10.39 Overall, if its permitted development rights are looked at in isolation, Part 6 cannot be seen as assisting Government policy aims of achieving a quality environment. These rights take away the tools necessary to achieve this. However, the counterbalance must be recognised that agricultural permitted development rights in Northern Ireland contribute to some extent

to another vital Government policy i.e. that of bolstering the rural economy and assisting farmers in meeting the numerous other Government and EU regulatory measures and farm assurance schemes e.g. for animal welfare and crop storage.

10.40 Some changes to Part 6 are therefore seen as being appropriate. These seek to balance the potentially conflicting Government policy objectives of a buoyant rural economy, achieving farm diversification, protecting the rural environment and statutory nature conservation designations, social cohesion, sustainable development and new development being of high design quality. The suggested changes are set out below.

General Changes

10.41 The following general changes to Part 6 are suggested, principally to prevent further harm to sensitive environments:-

- general redrafting of Part 6, along with other Parts of the GDO, in a simpler format;
- ensure that all of the Classes of Part 6 are more carefully defined, so as to prevent new development with significant impacts proceeding without planning permission being required;
- in the short term, restrict any significant permitted development in statutorily defined and designated areas for nature conservation and archaeological interest in each Class i.e. including ASSIs and sites of archaeological interest. In the longer term, consider removing permitted development rights for all but the most minor development in such areas;
- there needs to be a clearer connection e.g. between ASSI legislation/protection/designation, agri-environment schemes and permitted development rights, with contacts in Government departments for liaison and better links to implement policies collectively;
- the 0.5 ha. minimum size of holding for having Part 6 rights should be reviewed and assessed in terms of whether it should be increased. A working farm is likely to be at least 2 ha. and more likely to be a minimum of 5 ha. (except if for mushroom farming, intensive livestock rearing and horticulture). Criteria for a workable farm size could then be included in a revised GDO. Alternatively, the 0.5 ha. limit could exclude the farm dwellinghouse and garden, or require demonstration of being a bona fide farm;

- review building/structure size limits against current and forecast farming requirements for livestock and grain/other storage, and against design/environmental/visual impact considerations;
- the erection of any first building on an agricultural unit should require planning permission, to enable future development to be controlled e.g. where land ownership is being divided and e.g. on siting and landscape, to prevent the loss of hedgerows and to control use;
- clarify that agricultural land must be actively used/occupied land the proposed development must also be reasonably “necessary for the purposes of agriculture” on that unit. (This would reflect case law).

Specific Changes

10.42 More detailed suggested changes are to:

- correct the anomaly of the GDO not authorising, according to Article 3(5), the construction, formation, laying out or alteration of a means of access and Part 6, Class C doing so;
- correct the loopholes relating to Class A.1(d), (i) and (ii), by requiring express planning permission for all buildings of over 300 sq.m and ensuring the protection of dwellings other than the farm dwelling;
- revise Class A.1(c) to ensure that it is not interpreted as removing agricultural permitted development rights when buildings/structures/works for other uses have taken place with the benefit of planning permission;
- define the principal group of farm buildings as the main group of farm buildings on the holding at the operative date of the amended Order;
- limit the distance of the nearest part of a proposed building from the principal group of farm buildings;
- limit the distance of any part of a proposed building from the nearest part of a road;
- prevent the importation and tipping of waste from being capable of being defined as an engineering operation, by specifically excluding waste from Part 6.

10.43 Permitted development rights should also not apply to building works for the accommodation of livestock or for the storage of slurry or sewage within 400 metres of the curtilage of a protected building i.e. any building occupied by people other than a building within the agricultural unit.

10.44 If the lower size limit of 0.5 ha. was to be retained, or amended to 2 ha. and not 5 ha., then further/different conditions should be applied to permitted development rights on these smaller holdings, to prevent over-development. These conditions should relate to further limiting:

- design and external finishes;
- the percentage increase in the floorspace of the existing building;
- any increase in the height of the existing building;
- the distance of any part of the extended building from the original building;
- the ground area of the extended building;
- the distance of the extended building from the boundary of the unit which adjoins a residential curtilage outside the holding;
- the distance from the nearest part of a public highway;
- the distance from the boundary of the holding.

10.45 These general and specific changes are suggested on the basis that the countryside has to continue to be a source of employment, without overly restrictive agriculture permitted development rights having the possible consequence of leading to the abandonment of holdings. Some changes do however have to be put forward, principally because current Part 6 permitted development rights are not seen as adequately reflecting or supporting the controls exercised in ASSIs by other legislation but also because they are exploited for non-agricultural land holdings.

10.46 The unanimous view of consultees was that no prior notification procedure should be introduced but, for this view to be sustained, ASSIs in particular need to be better protected, as there would otherwise remain no scope to apply any degree of control to the design/landscaping of permitted development. This endorses the need to review the size of buildings/structures and other development permitted under Part 6, and whether there should be more/less control of the more major/significant developments in sensitive/non-sensitive areas. If agricultural permitted development rights were to remain largely

unchanged for buildings and structures in non-sensitive areas, it would then be for any Farmers' Guidance, or Government policy guidance, to seek to influence/advise on siting, design and landscaping.

10.47 A GDO User Guide for farmers would be beneficial, if it were to provide guidance on agricultural permitted development rights, particularly on assessing first whether:

- the proposal is development;
- the proposed development is for the purposes of the agricultural undertaking;
- the interests of farmers and others are being properly balanced;
- the development otherwise benefits from permitted development rights;
- the land is agricultural.

10.48 Such guidance could also advise on:

- how proposals could be designed to comply with landscape policy;
- avoiding harm arising from the proposals, on the basis of a set of strong environmental criteria;
- encouraging the retention and re-use for agriculture of older buildings and otherwise for an alternative use i.e. a sequential approach to use being incorporated (reflected from the proposed PPS for the countryside);
- clarifying that permitted development rights do not override and should respect TPOs.

10.49 User Guide advice on how to obtain information from Government departments and other organisations, and how to improve dialogue, would be essential. The Manual could also provide a flowchart of Part 6 permitted development rights, if they were sufficiently simple.

10.50 These suggested changes would ensure that a proliferation of unnecessary (in terms of agricultural needs) and unsightly development on land or around a holding could be prevented, while development which is necessary in a particular location for genuine operational reasons would normally be permitted, providing that it was not unduly intrusive in the landscape or detrimental to environmental quality. The Planning Service would be

encouraged via the User Guide to adopt a sympathetic approach to farmers' genuine needs e.g. by advising on preferable design and siting criteria in Supplementary Planning Guidance.

- 10.51 If any change to the size of a permitted agricultural building or structure were to be taken forward, evidence would have to show first that the measures were necessary, based on clear evidence from case studies confirming either the need to permit larger buildings to overcome specific problems in meeting EU or other requirements, or in ASSIs, the benefits of reducing the size of permitted buildings and structures due to the detrimental effects of specified agricultural permitted development rights.
- 10.52 The minimum size of agricultural holding which can be viably operated as such would similarly have to be the subject of further research and findings would also be relevant to the above consideration of the appropriate sizes for buildings and structures.
- 10.53 Where current Part 6 permitted development rights are removed, provision could be made for reduced fees or fee exemptions for the first planning application made.
- 10.54 In response to criticisms that the GDO does not enable farmers to diversify, the scope for minor (i.e. up to say 235 m²) changes of use of redundant farm buildings to Use Classes 4, 5 or 11 could be considered, as a change to Part 3 of the GDO. Research would have to be undertaken, to ascertain the likely costs and benefits in relation to e.g. PPS 3 and 13 implications and the absence of scope to control such development by condition.
- 10.55 Any changes to Part 6 permitted development rights must take into account sustainable development, transport and social cohesion issues, particularly in relation to providing for farm diversification projects. Whatever changes are taken forward, it must be recognised that the objective of achieving farm diversification should remain subservient to supporting and meeting the needs of the agriculture industry. This is in spite of the fact that farm diversification may be the only way a farmer can keep the farm going at present and in the short term future. Nevertheless, farmers too need to recognise that significant change is underway in the industry, e.g. through CAP restructuring and agri-environment schemes, requiring better business planning.

10.56 Consideration was given to the need to restrict Part 6 rights for buildings within sensitive landscape areas, such as AONBs and National Parks, since no such limitations currently apply as they do in other Parts of the GDO, and in England restrictions apply in National Parks. However, it was considered, on balance, that additional restriction of this type was not appropriate in the Northern Ireland context given the nature of the landscape areas, the extent of farm buildings within such designated areas and other restrictions on agriculture.

10.57 Overall, there is a clear need for change to Part 6 and the basic conclusion from the above is that, by way of a staged process, agricultural permitted development rights should be tightened particularly in ASSIs by making various changes to Classes A, B and C. In the longer term, and if confirmed by further research, planning permission should be required for development on smaller land holdings and for all but the most minor development in sensitive areas. Such change should only occur, however, if farmers can be assured that any planning application would be processed expeditiously.

10.58 The principal recommended changes that relate specifically to Part 6 are therefore to:

- review the 0.5 ha. size of holding minimum for having Part 6 rights and assess whether it should be increased;
- review building/structure size limits against current and forecast farming requirements for livestock and grain/other storage, and against design/environmental/visual impact considerations;
- the erection of any first building on an agricultural unit should require planning permission to enable future development to be controlled;
- clarify that agricultural land must be actively used/occupied and that the proposed development must also be reasonably “necessary for the purposes of agriculture” on that unit;
- prevent the importation and tipping of waste from being capable of being defined as an engineering operation, by specifically excluding waste from Part 6.

10.59 The planning system also has to become more in tune with farmers’ needs, to ensure that farmers have confidence in the planning application process being capable of delivering desired outcomes. The practical consideration of buildings needed for modern day farming,

particularly in ASSIs may be best addressed through the consideration of sustainable development and other issues on a case by case application basis, rather than by applying blanket rules through permitted development rights.