

PLANNING AND HORTICULTURE



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Permitted Developments

Town and Country Planning (General Permitted Development) Order 1995, as amended
Schedule 2, Part 6 Agricultural Buildings and Operations

UNITS OF MORE THAN 5 HECTARES:

- Works for erection, extension or alteration of a building;
- Excavation of engineering operations *reasonably necessary* for the purposes of agriculture within that unit.

Schedule 2, Part 4, Class B: Temporary Buildings and Uses -
The use of any land for any purpose for not more than 28 days in total in any calendar year (Subject to Class B.1 restrictions)

- Must be on the parcel of land forming the unit;
- Not work to a dwelling;
- Ground area should not exceed 465sqm
- Height should not exceed 3m where within 3km of aerodrome and not 12m in any other case;
- Must not be within 25m of trunk/classified road;
- Where involves accommodation of livestock should not be within 400m of a protected building;
- Does not involve operations connected with fish farming

APPLICATION PROCESS

➤ A Prior Notification Application is required to be sent to the LPA where the project involves:

- erection, extension or alteration for a building;
- Formation or alteration of a private way;
- Carrying out excavations or depositing waste;
- Placing of a tank in water

INFORMATION REQUIRED

- Completion of Prior Notification Application;
- Location Plan;
- Detail on the siting of the proposal;
- Description of proposal including: size, height, design and finish;
- Fee to pay to LPA.

DECISION TIMEFRAME

- LPA has 28 days to make a decision.
- Prior Approval not required – 5 years to carry out works;
- LPA gives Prior Approval – may include conditions in decision
- Where Prior Approval Required – site notice must be displayed for public consultation process
- Where no decision in 28 days development can go ahead but where development does not satisfy all conditions within the PDR class enforcement action can be taken.



GET IN TOUCH

Website: <https://businesswales.gov.wales/farmingconnect/land/horticulture-growing-growth>

Email: horticulture@lantra.co.uk

Produced by Rural Advisor for Farming Connect



Ariennir gan
Lywodraeth Cymru
Funded by
Welsh Government

www.gov.wales/farmingconnect



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FULL PLANNING PERMISSION

- Needed for operational development (buildings and structures in/on/under land and material changes in the use of land (purpose to which land is put).
- Buildings and structures with a degree of permanence, of a scale which changes the physical characteristics of the land, fixed to the land;
- Engineering work;
- Work typically carried out by a builder.
- Apply to Local Planning Authority

Polytunnels

How are they fixed to the land? Size of structure? Materials used? Design? Moveability? Impact on character of land?

Rural Enterprise Dwelling

- For rural enterprise workers where living on or near the enterprise is needed.
- Must be able to demonstrate:
 - (i) Functional need – is there a functional need for the worker to live on site for agricultural/horticultural purposes?
 - (ii) The need must relate to a full-time worker;
 - (iii) Is the enterprise financially viable (established for over 3 years with 1 year showing profits minimum);
 - (iv) Can the need be met from existing housing stock or other suitable existing building

Planning Considerations

Landscape Impact; Biodiversity and Habitat Impacts and Enhancements; Surface Water (and foul water) Management; Green Infrastructure; Residential Amenity; Design, appearance and finish; Use of renewable energy; Waste Management; Flood Risk; Designated Areas and location of proposal; Location of Heritage Assets in relation to the proposal; Viability...

Farm Shop

Where ancillary to horticulture use planning permission NOT needed;

Most products must be derived from the holding
Where planning permission needed % of products sold that are not produced on site may be controlled.

Cafe

Planning permission needed – increase in visitors and traffic, nature of enterprise considered

Caravans

Planning permission needed for living in;
Where used for horticultural purpose i.e farm office likely to be permitted development.

Energy Schemes

Requires planning permission where falling outside of Part 43 (Installation of Non-Domestic Microgeneration Energy Equipment) permitted development right.

Conversion of an Existing Building

- Welsh Government has a “positive approach to re-use rural buildings for business purposes” (PPW, 2024)
- Whether nature and extent of new proposed use of a building is acceptable in planning depends upon:
 - Landscape impact & visual amenity
 - Choice of materials (sympathetic and integrate with vernacular);
 - Environmental considerations;
 - Economic impact;
 - Social need and benefits.

Further Information

Welsh Government Planning Pages. Available online at: <https://www.gov.wales/planning-permission> [Correct 22/04/2024].

Welsh Government (Feb 2024) Planning Policy Wales, Ed.12. Available online at: <https://www.gov.wales/planning-policy-wales> [Correct 22/04/2024].

Your Local Planning Authority Planning Webpage