

Planning and Polytunnels for Commercial Growers in Wales (not the same as England)

Technical Advice sheet

Introduction

Polytunnels are an essential part of many growing enterprises, extending the season and protecting crops from adverse weather and from bird and insect damage. Agricultural holdings in Wales over 5 hectares have permitted development rights to build up to 465 sq m of structures, subject to prior approval. Smaller holdings and/or new enterprises may have to apply for full planning permission – even for a small tunnel, as the intention of most people who use them is to keep them in one place and (amongst other things referred to in case law) they are generally big enough to meet the threshold for the meaning as ‘development’. By contrast a domestic polytunnel in a back garden does not need planning permission in most circumstances as most dwellings (home) have some limited permitted development rights.

Agricultural enterprises over 5 hectares

The General Permitted Development Order (GPDO) 1995 gives permission for agricultural operations located on a farming unit of more than 5 hectares (12.4 acres), to erect new structures that are ‘reasonably necessary’ for the purposes of agriculture within that unit. There are certain criteria that need to be met¹ and a prior notification application must be submitted to the local planning authority PRIOR to starting any works. As the name suggests, this is notifying the local planning authority of the intention to exercise permitted development rights. [This form](#) should be used, this is the [accompanying guidance note from Welsh Government](#). Once the application is registered, the local planning authority has 28 days in which to let the applicant know if a prior approval application is required. If they do not determine the application within this time frame² approval is automatically granted. During the 28 day assessment process the local planning authority must inform the applicant if ‘Prior Approval’ to assess siting, design and external appearance is required. Where the local planning authority considers that a specific proposal is likely to have a significant impact on its surroundings, they may ask for further details of siting design and appearance to be submitted.

Agricultural enterprises under 5 hectares

Agricultural holdings under 5 hectares do not benefit from the same permitted development rights as those over 5 hectares and are likely to need to submit a full planning application for any new buildings, including polytunnels. In this instance, it is all down to whether a proposal meets the threshold meaning of ‘development’. Planning case law has determined that whether a proposal is ‘development’ or not, is a matter of ‘fact and degree’ in terms of size, permanence (intention) and

¹ For example, the polytunnel will need to be sited more than 25 metres from a classified road, more than 2 metres from your boundary and the size and design should be sympathetic to the surrounding area. Apply through the planning portal <https://www.planningportal.co.uk/wales>. Social Farms & Gardens Community Land Advisory Service Cymru can explain this in more detail. Submit a request for support [here](#).

² Please note - the 28 days starts from the date the local authority registers the application. Before registration the application will go through a validation process to check the correct documents are submitted before assessment can begin. It is common for local authorities to come back to applicants for more information during the validation process.



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physical attachment to the ground. Lucie Taylor, a chartered town planner at Social Farms & Gardens has stated -

“In our experience, any grower on a holding under 5 hectares, who intends to keep a polytunnel, over about 6 sq m, in the same place, they should look to submit a full planning application for the Polytunnel”.

Where polytunnels meet the meaning of ‘development’ and the agricultural holding is under 5 hectares it will need to gain full planning permission by way of a formal full planning application to the local planning authority³.

Before submitting a planning application for a proposed polytunnel the grower should think carefully about where they site it. Think about its impact in the landscape and the overall design. Try to make its siting sensitive to its surroundings. The starting point for a submission of a full planning application is always to make the case that the polytunnel is essential to the running of your agricultural business. Explain why you need the polytunnel and what the impact would be if you could not have a polytunnel on your farm.

Submit your planning application forms, drawings and supporting information via the planning portal here - [Planning Portal](#).

For a full planning application submission it is likely that you will need scaled drawings of the polytunnel – elevations, a floor plan, a site plan (where the polytunnel will be located on the site) and a location plan of the site with a red line drawn around the area where the development is proposed.

Some of these plans can be purchased online, but you may need plans from the polytunnel supplier or an architect. Provide a covering letter or a short statement explaining the purpose of the polytunnel, why you need it and why you are choosing the specific location for siting it. The application forms on the planning portal are quite helpful in that they ask you questions stage by stage and you can log out and return to it at another time. Towards the end of the form, there is a question about whether you own all the land. If you do tick certificate A. Tick certificate B if you do not. This is a legal requirement so always answer honestly. In that instance you will need to serve a notice on the owner/s prior to submitting your application. You do not need their permission under planning legislation, but you must serve them notice. Use [this form](#), which is called a Notice to Landowner (Wales).

SuDS – Sustainable Drainage Systems

Even permitted developments have been subject to legislation around SuDS (Sustainable Drainage Systems) since 2019 and must growers will need make an application to the SAB (SuDS Approval Body) in their Local Authority if the development is larger than 100m². Please see the separate factsheet on Sustainable Drainage Systems.

SuDS guidance is available here https://www.gov.wales/sites/default/files/publications/2021-03/advice-note-sab-applications-for-agriculture-roofs-and-yards_1.pdf

³ Organisations such as the Land Workers Alliance and Social Farms & Gardens have been making the case to Welsh Government to extend certain permitted development rights for small agricultural enterprises under 5 hectares.



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Autumn salad leaves at Tyddyn Teg, Bethel

Heading	Planning and Poly tunnels for Commercial Growers in Wales
Sub Heading	What needs planning permission and how to submit a planning application for your polytunnel.

Disclaimer

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