

Guidance Notes for:

Application for Prior Notification of Proposed Agricultural or Forestry development – proposed building

Application for Prior Notification of Proposed Agricultural or Forestry development – proposed road

Application for Prior Notification of Proposed Agricultural or Forestry development – excavation/waste material from a farm

Application for Prior Notification of Proposed Agricultural or Forestry development – proposed fish tank (cage)

This Application for Prior Notification form should be used for proposals to carry out certain agricultural and forestry developments

The local planning authority has 28 days in which to let the applicant know of its decision whether a full application is required or to inform the applicant of its decision to allow or refuse approval.

No work should begin before an application is made.

A prior notification application form should be submitted for the following types of development:

- relating to agricultural units of 5 hectares or more:
 - i) Building, significant extension or significant alteration of a building
 - ii) Formation or alteration of a private way
 - iii) Carrying out of certain excavations and waste disposal
 - iv) Placing or assembly of a tank or cage for use in fish farming in any waters
- on forestry land to (i) and (ii) above
- proposed road
- proposed excavation/deposit of waste
- building a fish tank

Anyone proposing to carry out such development must apply to the planning authority in advance for a determination as to whether the authority's prior approval of certain details is required.

Tip Box: An application for prior notification form is not suitable if a specific planning application, for example, a proposed farm building or other works, is required. In this case, a separate planning application form must also be completed.

Examples of when planning permission will be required include:

- development not reasonably necessary for the purposes of agriculture/forestry on the holding (the keeping or rearing of horses, unless for working the land, is not agriculture)
- development on land which is not currently used in connection with an agricultural business, for example, hobby farming
- development not designed for the purposes of agriculture, for example, railway carriages or lorry containers
- development on an agricultural holding of less than 0.4 hectares
- development within 25 metres of the hardened part of a trunk or classified road
- development on separate parcels of land of less than: 1 hectare on units of 5 hectares or more; or 0.4 hectares on units of less than 5 hectares
- agricultural buildings of more than 465 square metres floor area (calculated to include all other development within 90 metres of the site which has been carried out within the preceding 2 years)
- buildings or excavations for livestock or slurry storage within 400 metres of a protected building (most non-agricultural buildings)
- agricultural development more than 12 metres in height
- excavations or engineering operations connected with fish farming

It is often helpful to discuss your proposal with your local authority before you send in your application – this is known as 'pre-application advice'. Your local authority will normally have details of how to go about this on its website.

The legislation which establishes when planning permission is required is complex – however, further information can be found in Annex E of *Permitted Development Rights for Agriculture and Forestry* (<http://www.communities.gov.uk/documents/planningandbuilding/pdf/annexepps7.pdf>) and *A Farmers Guide to the Planning System* (<http://www.communities.gov.uk/archived/publications/planningandbuilding/implementation>)