

## Farm Tracks and Hardstandings

Good access to and around farms is essential for efficient businesses, so well surfaced tracks to buildings and across fields should be a priority.

Many problems arise when the line is crossed between normal maintenance and improvement, especially if there is work to a gateway onto the highway. Putting some stone into potholes in an existing track would not require any permission, but to extend or improve would require planning permission. So when do you need to apply for permission and what do you apply for?

Normal maintenance work to existing tracks and yard areas will not require planning permission, the key issue being whether an engineering operation occurs or not.

Agricultural development still benefits from permitted development rights under the Town and Country Planning Act, and these can be summarised as:-

- **On units of 5ha (12 acres) or more**

Any excavation or engineering works reasonably necessary for the purposes of agriculture, but this excludes work on separate areas of less than 1ha (2.47 acres), buildings and any work within 25m of the metalled part of a trunk or classified road.

In all cases though a Prior Notification (28 day notice) application has to be submitted to the Local Planning Authority (LPA).



If you are applying for full planning permission for a new farm building, the access and aprons will be part of that application.

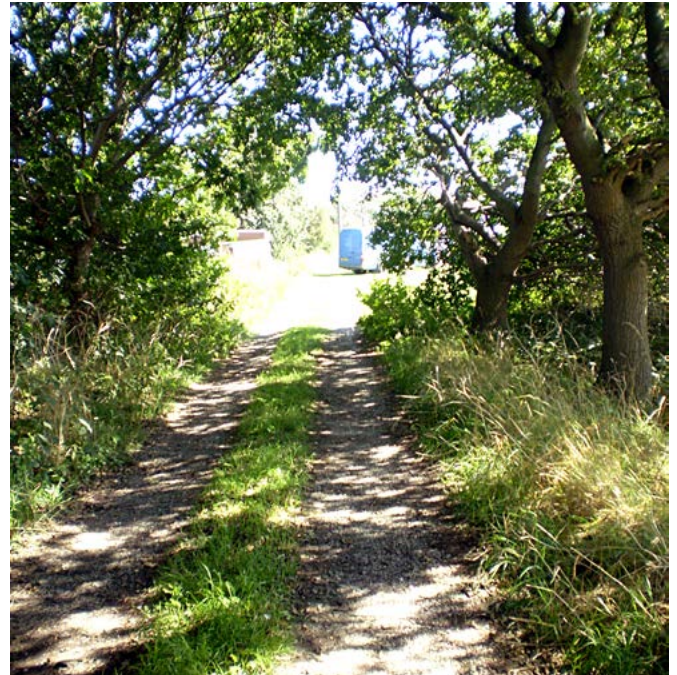
In cases with forestry land, there are permitted development rights for:-

*'Carrying out on land used for the purposes of forestry, development that is reasonably necessary for these purposes consisting of the formation, alteration or maintenance of a private way and for other operations (excluding engineering and mining). Development is not permitted for dwellings, or exceeding 3m in height within 3km of an aerodrome, or within 25m of a trunk or classified road.'*

Problem areas will include:-

- Land that is not used for 'agriculture'; this could include equestrian units, game farms, sports fisheries and other diversified areas such as a caravan site;
- Is the development reasonably necessary for the purposes of agriculture? and
- Is the access onto the highway a classified road or not? - check with the Highways Department.

Also remember if the 25m line is breached, the whole of the work becomes unauthorised, not just the 25m connection to the road.



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