

SCHEDULE 1

Article 2

“PART 6

Agricultural Buildings and Operations

Class A

Permitted Development	A.	Prior to 1st January 2008, the carrying out on agricultural land comprised in an agricultural unit of— (a) works for the erection, extension or alteration of a building; or (b) any excavation or engineering operations; reasonably necessary for the purposes of agriculture within that unit.
<i>Development not permitted</i>	A.1	Development is not permitted by Class A if— (a) the development is on agricultural land less than 0.5 hectares in area; (b) it consists of or includes the erection, extension or alteration of a dwelling; (c) a building, structure or works not designed for the purposes of agriculture is provided on the land; (d) the nearest part of any building or structure so erected or extended is more than 75 metres from the nearest part of a group of principal farm buildings; (e) the nearest part of any building or structure so erected or extended is less than 75 metres from a dwellinghouse (other than a dwellinghouse of any person engaged in agricultural operations on the said unit); (f) the ground area to be covered by—

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Class A

- (i) any works or structure (other than a fence) for the purposes of accommodating livestock or any plant or machinery arising from engineering operations; or
- (ii) any building erected or any building as extended or altered, other than a building to which paragraph A.1(g) applies by virtue of Class A;
exceeds 300 square metres, calculated as described in paragraph A.3;
- (g) the ground area to be covered by a building, or excavation used or to be used for the storage of slurry or manure or, by a building for both the accommodation of livestock and storage of slurry and manure, exceeds 600 square metres, calculated as described in paragraph A.3;
- (h) the height of any part of the building, structure or works within 3 kilometres of the perimeter of an aerodrome exceeds 3 metres, or 12 metres in any other case;
- (i) any part of the development is within 24 metres from the nearest part of a special road, or within 24 metres of the middle of a trunk or a first or second-class road or 9 metres from the

Class A			middle of other classes of road.
Class A2			
Permitted Development	A2.		After 31st December 2007, the carrying out on agricultural land comprised in an agricultural unit of— (a) works for the erection, extension or alteration of a building; or (b) any excavation or engineering operations; reasonably necessary for the purposes of agriculture within that unit.
<i>Development not permitted</i>	A2.1		Development is not permitted by Class A2 if— (a) the development is on agricultural land less than 0.5 hectares in area; (b) it consists of or includes the erection, extension or alteration of a dwelling; (c) a building, structure or works not designed for the purposes of agriculture is provided on the land; (d) the nearest part of any building or structure so erected or extended is more than 75 metres from the nearest part of a group of principal farm buildings; (e) the nearest part of any building or structure so erected or extended is less than 75 metres from a dwellinghouse (other than a dwellinghouse of any person engaged in agricultural operations on the said unit); (f) the ground area to be covered by— (i) any works or structure (other than a fence) for the purposes of

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- accommodating livestock or any plant or machinery arising from engineering operations; or
- (ii) any building erected or any building as extended or altered; exceeds 300 square metres, calculated as described in paragraph A.3;
- (g) the height of any part of the building, structure or works within 3 kilometres of the perimeter of an aerodrome exceeds 3 metres, or 12 metres in any other case;
- (h) any part of the development is within 24 metres from the nearest part of a special road, or within 24 metres of the middle of a trunk or a first or second-class road or 9 metres from the middle of other classes of road.

Interpretation of Classes A and A.3
A2

For the purposes of Classes A and A2—

- (1) (a) the area of 0.5 hectares shall be calculated without taking into account any separate parcels of land;
- (b) the ground area referred to in paragraphs A.1(f) and A.1(g) is the total of: —
 - (i) the ground area which the proposed development covers; and

Class A

- (ii) the ground area of any building (other than a dwelling house) or any works, structure, plant or machinery within the same unit which is being provided or has been provided within the preceding two years (being a period following the operative date of this Order) and any part of which is within 75 metres of the proposed development;
- (c) the ground area referred to in paragraph A2.1(f) is the ground area which the proposed development covers together with the ground area of any building (other than a dwellinghouse), or any works, structure, plant or machinery within the same unit which is being provided or has been provided within the preceding two years, (being a period commencing after 31 December 2007) and any

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Class A

- part of which is within 75 metres of the proposed development.
- (2) (a) “agricultural land” has the meaning assigned to it by the Agriculture Act (Northern Ireland) 1949⁽¹⁾;
- (b) “agricultural unit” means land which is occupied as a unit for the purposes of agriculture other than fish farming but includes any dwellinghouse or other building occupied by the same person for the purpose of farming the land by the person who occupies the same unit;
- (c) “building” does not include anything resulting from engineering operations.
- (3) The carrying out of works for the erection, alteration or extension of a building, or any excavation in Class A used or to be used for the storage of slurry or manure or for both the accommodation of livestock and storage of slurry or manure includes works begun prior to 1 January 2008 and completed after 31 December 2007.”
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⁽¹⁾ 1949 c. 2 (N.I.)

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