Hewitt&CarrArchitects

Planning Statement

Prior Approval: Change of use of agricultural building to form a single dwelling at Stonewalls Farm, Whitehurst Lane, Dilhorne for Mr. K. Ball

Document Reference: 00687 – PS2
Date: December 2017

Contents **Page No**

1.0	Introduction	3
2.0	Planning Assessment	3
3.0	Conclusion	8

1.0 INTRODUCTION

1.1. This Planning Statement has been prepared to support a prior approval submission for the change of use and alteration of an existing agricultural building at Stonewalls Farm, Whitehurst Lane, Dilhorne to form a single dwellinghouse. The submission is made pursuant to the provisions of Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

1.2. The existing agricultural building is constructed from coursed stone, with a plain clay tiled roof. It is part single storey, part two storey building. The submitted proposal entails the conversion and alteration of the building to form a single dwellinghouse comprising of an open plan living room, diner and kitchen, separate utility and w/c, three bedrooms and family bathroom at ground floor, with two further bedrooms (both ensuite) at first floor.

1.3. The proposal also encompasses operational development in the form of insertion of replacement windows into existing openings, and the provision of 7 conservation style rooflights into the roof slope of the building. All other works proposed are internal and thus do not amount to development that requires planning permission.

1.4. The building benefits from an established means of vehicular access from the public highway to the north, which serves an area of hardstanding that sits in front of the existing building where parking of vehicles is currently undertaken. It is proposed to create an area of private domestic curtilage for the dwelling to its rear (west).

1.5. This Planning Statement has been prepared to demonstrate compliance with the proposal against the relevant provisions of Class Q of the Permitted Development Order, having regard also to the provisions of the Planning Practice Guidance.

2.0 PLANNING ASSESSMENT

2.1. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 allow for development consisting of the change of use of a building and any land within its curtilage from use as an agricultural building to a dwellinghouse (Class Q). It also makes provision for building operations that are reasonably necessary to convert the building into a dwellinghouse. Class Q of the Permitted Development Order confirms that development is not permitted where:

(a) The site was not used solely for an agricultural use, as part of an established agricultural unit –

(i) On 20th March 2013; or

(ii) In the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) In the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date of development under Class Q begins.

2.2. The agricultural building proposed for conversion has historically been used for agricultural purposes, and retains its former cattle stalls. It has not been put to any alternative use since it was last used for agricultural purposes, and the proposal therefore accords with criterion (a).

(b) The cumulative floor space of the existing building or buildings changing use under Class Q within an established agricultural unit exceeds 450 square metres;

2.3. The floor space of the existing building changing use amounts to 252 square metres and thus accords with the provisions of criterion (b)

(c)The cumulative number of separate dwellinghouses developed under Class Q within an established agricultural unit exceeds three;

2.4. The application proposes the creation of one dwellinghouse, and therefore accords with the provisions of criterion (c).

(d) The site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained.

2.5. The site is not occupied under an agricultural tenancy and therefore the proposal accords with the provisions of criterion (d).

(e)Less than one year before the date of development begins –

(i) An agricultural tenancy over the site has been terminated, and

(ii) The termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

2.6. This site is not encumbered by any agricultural tenancies and therefore the proposal meets the requirements of criterion (e).

(f) Development under Class A(a) or Class B(b) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit –

(i) Since 20th March 2013, or

(ii) Where development under Class Q begins after 20th March 2023 during the period which is 10 years before the date development under Class Q begins.

2.7. No development has been carried out on the site under the provisions of Classes A(a) or Class B(b) of the Permitted Development Order since March 2013, and as such the proposal accords with the requirements of criterion (f).

(g) The development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

2.8. The proposed development does not result in the external dimensions of the building extending beyond the external dimensions of the existing building, and therefore accords with the requirements of criterion (g).

(h) The development under Class Q (together with any previous development under Class Q) would result in a building or buildings having more than 450 square metres of floor space having a use falling within Class C3 (Dwellinghouses) of the Schedule to the Use Classes Order;

2.9. The proposed development involves the change of use of some 252 square metres of floorspace and there have been no other submissions on this site under Class Q. The proposed development therefore meets the requirements of criterion (h).

(i) If the development under Class Q(b) would consist of building operations other than –
(i) The installation or replacement of –
(aa) windows, doors, roofs, or exterior walls, or
(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse; and
(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i)

2.10. The proposed development incorporates the installation of windows and doors into existing openings within the building, and proposes no new openings to be provided aside from the installation of 7no. conservation style rooflights. These will be flush fitting and will not materially detract from the character and appearance of the building. The proposed development therefore meets the requirements of criterion (i).

(j) The site is on article 2(3) land;

2.11. The site is not on article 2(3) land and therefore the proposal meets the requirements of criterion (j).

(k) The site is or forms part of –
(i) A site of special scientific interest;
(ii) A safety hazard areas;
(iii) A military explosives storage area;

2.12. The site is not, nor does it form part of any of these designations, and therefore accords with the requirements of criterion (k).

(l) The site is, or contains, a scheduled ancient monument;

2.13. The site does not, nor does it contain, a scheduled ancient monument and therefore the proposal accords with the requirements of criterion (l).

(m) the building is a listed building;

2.14. The building proposed for conversion is not a listed building, and therefore the proposal accords with the requirements of criterion (m).

2.15. For the aforementioned reasons the proposal is considered to meet all the relevant provisions of Class Q and therefore amounts to permitted development, subject to the prior approval assessment required under Class Q.2(1). This will now be considered.

2.16. Class Q.2(1) requires that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the Authority will be required as to the following matters:

(a) Transport and highways impacts of the development,
(b) Noise impacts of the development,
(c) Contamination risks on the site,
(d) Flooding risks on the site, or
(e) Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; and
(f) The design and external appearance of the building.

(a) Transport and Highways Impacts

2.17. The proposed dwelling will utilise the existing vehicular access that serves the agricultural building and adjacent farmhouse. The access affords good visibility on egress onto the nearby highway, and any highway movements associated with the proposed dwelling have to be considered against the existing movements that would be associated with the lawful agricultural use. The proposed development will therefore avoid any adverse impacts to highway safety, and thus accord with requirements of criterion Q.2(1)(a).

(b) Noise Impacts

2.18. The proposed conversion of the existing agricultural building to form a dwelling will not derive any adverse noise impacts for future occupants of the dwelling as there are no nearby sources of noise that are likely to adversely impact on them. The applicant has an agricultural storage building located to the northeast of the building, but this is used for implement storage, and thus is not a significant

generator of noise. The proposed development therefore accords with the requirements of criterion Q.2(1)(b).

(c) Contamination Risks

2.19. This site has historically been used for agricultural purposes and has not been subject to any previous uses that may have resulted in concerns about contamination. There are furthermore no uses in the immediate vicinity that may give rise to contamination or pollutants. The proposed development therefore accords with the requirements of criterion Q.2(1)(c).

(d) Flood Risks

2.20. The site occupies an elevated position and does not lie within Flood Zones 2 or 3 as confirmed by EA Flood Mapping. As a consequence the proposed development will not be at risk of impact from flooding and thus accords with criterion Q.2(1)(d).

(e) Location & Siting

2.21. The Planning Practice Guidance confirms that when considering whether it is appropriate for a change of use to take place in a particular location, a local authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local authority would not usually grant permission for a new dwelling is not a sufficient reason for refusing prior approval. The Planning Practice Guidance goes on to give some examples of where the location may be undesirable such as where it is at the top of a hill with no road access or service connections, or where it is located next to other uses which may be harmful to residential amenity. In this instance the site benefits from an established means of vehicular access and has existing service connections available. The resultant dwelling will furthermore not be located close to any intensive or harmful uses that would give rise to adverse impacts to residential amenity.

2.22. The application is furthermore accompanied by a Bat and Bird survey, which confirms that there was no evidence of roosting bats within the building and that the proposal will have a negligible impact on bats. As a consequence the proposed development accords with the requirements of criterion Q.2(1)(e).

(f) Design & External Appearance

2.23. The building operations proposed in this submission amount to the insertion of new windows and doors into the existing openings of the building, which will serve to preserve the agrarian character of the building. The proposal also incorporates the provision of new rooflights into the eastern and western roof slopes, and owing to their flush fitting nature, these will also not derive any material harm to the character and appearance of the building. The proposed development therefore accords with the requirements of criterion Q.2(1)(f).

3.0 CONCLUSION

3.1. Having regard to the considerations discussed above it is submitted that the proposed development accords with the provisions of Class Q (a) and (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015. The Local Authority is therefore requested to confirm that their prior approval is not required for the proposed development.