29th June 2023

Development Management
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

R23-039

Dear Sir/Madam

Applicant: **Ms J. Johnston**
Site: **Barn at Church Hill, Donhead St Mary, Wiltshire**
Proposal: **Application for Prior Approval for Change of Use from Agriculture to Flexible Commercial Use under Schedule 2, Part 3, Class R of GPDO**

I write on behalf of my client, Ms J Johnston, to apply as to whether the prior approval of the local authority is required for the proposed change of use of an existing agricultural building at Church Hill, Donhead St Mary, to a 'flexible commercial use' in accordance with Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 (the "GPDO").

The agricultural building forms part of a landholding which extends to 15.75 acres. The site is located 5 miles north east of Shaftesbury, and Tisbury is 4.5 miles north, and Salisbury 17 miles to the east. The site has vehicular access off Church Hill.

As part of this application please find enclosed the following documents:

- Location Plan
- Application Form, duly completed
- Flood Map for Planning Extract
- Site Location Plan

The application fee of £96 has been paid via the Planning Portal.

Paragraph R.1 of Part 3 of Schedule 2 of the GPDO sets out the circumstances under which Class R development is not permitted. The following paragraphs seek to demonstrate that the proposed development is permitted development, by addressing the circumstances set out in paragraph R.1 using corresponding paragraph referencing (a-e):

a) The building in question forms part of an established agricultural; unit known as Church Hill Barn. The building proposed for change of use was in agricultural use on 3rd July 2012.

b) The building subject of this application extends to 429.38 sq. m in area and as such the agricultural building that is proposed for change of use under Class R does not exceed 500 sq. m.

c) The site does not form part of a military explosives storage area.

d) The site does not form part of a safety hazard area.

e) The building is not listed, nor is it a scheduled monument.

Paragraph R.3 of Part 3 of Schedule 2 of the GPDO states that:

> ***"Before changing the use of the site under Class R, and before any subsequent change of use to another falling within one of the use classes comprising the flexible use, the developer must –***
>
> ***(b) Where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit exceeds 150 square metres, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:-***
>
> ***(i) Transport and highways impacts of the development ;***
> ***(ii) Noise impacts of the development;***
> ***(iii) Contamination risks on the site; and***
> ***(iv) Flooding risks on the site.***

This application relates to 429.38 sq. m of floor space which is proposed to be changed from agriculture to a mixed commercial use under Schedule 2, Part 3, Class R.3 of the GPDO which allows for up to 500 sq. m to be changed from agriculture to a flexible commercial use without the requirement for planning permission.

The following paragraphs deal with each of the matters for which prior approval may be sought.

(i) <u>Transport and Highway Impacts of the Development</u>

The proposed development will utilise the existing vehicular access to the site from the unclassified road which runs through the village of Donhead St Mary. The access benefits from good visibility in both directions to the north, south and east along the unclassified roads stemming from the junction. Given the existing agricultural use of the site and use of the access by large agricultural machinery, no transport or highway impacts are anticipated.

(ii) <u>Noise Impacts of the Development</u>

The site is located quote centrally within the village, and as such there are dwellings located within 50m of the building to the south and south west. However, the proposed use of the barn is for an office use which would not have any adverse noise impacts on any nearby residential dwellings. Uses allowed under Class R include those defined by Class E(g) which are "*uses which can be carried out in a residential area without detriment to its amenity*". The proposed use would fall within this category.

(iii) <u>Contamination Risks on the Site</u>

There are no apparent contamination risks or concerns on the site. The building has never been used to store chemicals or fertilisers.

(iv) <u>Flooding Risks on the Site</u>

The site is located within Flood Zone 1 and as such there are no apparent flood risks at the site.





Overall, it is considered that the agricultural building proposed for change of use under Class R comfortably meets the qualifying criteria and would not create any highways, nose, contamination or flooding issues for which Wiltshire Council should be concerned.

Should you require any further information to determine this application please do not hesitate to contact me. Otherwise, I look forward to receiving conformation that prior approval is either not required or is given and the proposed change of use to Class R can commence.

Yours sincerely

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