PLANNING STATEMENT

CHANGE OF USE OF AGRICULTURAL BUILDING TO 4NO. DWELLINGHOUSES



(NOTIFICATION UNDER CLASS Q OF THE GPDO)

PICKERS PALMER FARM, CAPPS LANE, HEYWOOD, WESTBURY BA13 4NE

ON BEHALF OF WESTELL DEVELOPMENTS

TOWN AND COUNTRY PLANNING ACT 1990

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1. INTRODUCTION

1.1 This Statement is submitted to accompany a notification made under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Hereafter referred to as 'the GPDO'.

1.2 The above regulations under Class Q allow eligible agricultural buildings to be converted to one or more dwellings (Use Class C3) without the need for full planning permission. This is subject to an application to a local planning authority for a determination as to whether the prior approval of the authority will be required. The procedures relating to a prior approval application are set out within Paragraph W of Schedule 2, Part 3 of the GPDO.

1.3 The legislation is broken into two parts; Class Q (a) which grants permission for the change of use, and Class Q (b) which grants permission for building operations reasonably necessary to convert the building to dwellinghouses. This application seeks permission under both Class Q (a) and (b).

1.4 This Supporting Statement seeks to demonstrate the proposals compliance with the relevant criteria set out in Paragraphs Q.1 and Q.2 of the GPDO,

1.5 The Statement should be read in association with the following plans prepared by DMW Architects:

- Existing Location Plan PL01_
- Proposed Site Plan PL02_
- Existing Plans PL03_
- Existing Plans with Dilapidated Structures Removed PL04_
- Proposed Plans PL05_
- Structural Assessment Report, prepared by Watts Holt

2. THE BUILDING

2.1 The application site is located off Capps Lane, which is located between the settlements of Heywood, Westbury and Bratton, as seen in the two images below.



Image 1: Site in geographical context



Image 2: Site in local context

2.2 The barn is accessed of an existing gated track off Capps Lane. The barn has a north-south orientation and forms part of a wider site. The other buildings on the site are vacant as no farming activity longer occurs at the site.

2.3 The building is constructed of steel trusses, dense concrete blocks and solid concrete floors. There are several existing window and door openings. The building is in good structural condition. There are basic lean-to structures to the front and rear of the barn which do not provide any structural support, and it is intended that these will be removed to facilitate the conversion to residential use.

2.4 The site is not located in an AONB or Conservation Area. There are no public rights of way running through or near to the site.

3. CLASS Q.1 CONSIDERATIONS

3.1 This section sets out an analysis of the proposals against the requirements of Q.1 of the GPDO.

Criteria (a) - Agricultural use

3.2 Pickers Palmers Farm is a retired cattle farm, and the building subject to this Class Q application was used in conjunction with that operation on 20th March 2013. The building has been used for storage of hay and agricultural machinery over the years and has been used for any other purpose, and is now redundant.

3.3 The onus of proof is upon the applicant to show that the building was used solely for agricultural purposes as part of an established agricultural unit, on or before 20th March 2013, and the relevant test is 'the balance of probability'.

Criteria (b) – Larger dwellinghouse

3.4 The proposal comprises no larger dwellinghouses.

Criteria (c) – Smaller Dwellinghouse

3.5 The proposal comprises 4no. smaller dwellinghouses with a total gross internal area of 251.8 sqm. The proposal therefore does not exceed the maximum number or floor area of smaller dwellinghouses developed under Class Q.

Criteria (d) – Number of dwellings

3.6 There are no other dwellings on the agricultural unit that were formed under Class Q. As such, the cumulative floorspace and separate dwellinghouse thresholds have not been met.

Criteria (e) - Agricultural tenancy

3.7 The site is not occupied under an agricultural tenancy.

Criteria (f) – Termination of agricultural tenancy

3.8 An agricultural tenancy has not been terminated within the last year.

Criteria (g) – Other agricultural permitted development

3.9 The applicant has not exercised any permitted development rights under Class A (a) or Class B (a) of Schedule 2, Part 6 of the GPDO since 20th March 2013.

Criteria (h) – External dimensions

3.10 The proposed development would not result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point.

Criteria (i) – Building operations

3.11 The building is in good structural condition and are therefore capable of conversion, without the addition of any new structural elements. The existing lean-to structures would be removed, but this would be a simple process, and the structures to not provide any stability to the main building.

3.12 The only building operations proposed are to the extent reasonably necessary for the building to function as dwellinghouses and are in accordance with the criteria set out in the legislation and the subsequent supporting National Planning Practice Guidance (PPG) updated in June 2018. The criteria allows for the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services; and for the partial demolition to the extent reasonably necessary to carry out these building operations.

3.13 A structural survey has been carried out with Watts Holt Surveyors which should be read in conjunction with this statement.

Criteria (j) – Article 2(3) land

3.14 The site is not within an Area of Outstanding Natural Beauty, a National Park, a World Heritage Site, The Broads or a Conservation Area (Article 2(3) land).

Criteria (k) – Restricted sites

3.15 The site is not, and does not form part of: a site of special scientific interest; a safety hazard area; or a military explosives storage area

Criteria (l) – Scheduled monument

3.16 The site is not, and does not contain, a scheduled monument.

Criteria (m) – Listed building

3.17 The building is not listed, nor is it within the curtilage of a listed building.

3.18 Accordingly, the above permitted development criteria are therefore deemed to be satisfied. Therefore the Council needs to consider whether or not it requires prior approval, and if it does so require whether it gives that approval, to the discretionary conditions in Q.2.

4. CLASS Q.2 CONSIDERATIONS

4.1 This section sets out an analysis of the proposals against the considerations of Q.2 (1) of the GPDO.

Criteria (a) – Transport and highways

4.2 The agricultural building is accessed via an existing access from Capps Lane. There are two possible vehicular accesses into the site, but the access to the east is preferable. Visibility is sufficient to enable vehicles to enter and exit the site safely without causing any obstruction to other highway users or pedestrians. The proposed site plan demonstrates the site can accommodate sufficient parking which is two spaces per unit. There is ample space for vehicles to enter and exit the site in a forward gear.

4.3 The introduction of four modest dwellings on the site is not considered to result in a material change to the character of traffic in the vicinity of the site, taking into consideration the lawful use of the site. It is considered that the proposal is acceptable in transport and highway impact grounds.

Criteria (b) – Noise

4.4 The agricultural building is not located in close proximity to any other agricultural buildings that are in active use. The building is located close to, but at a sufficient distance from other residential properties to avoid causing any unacceptable impacts upon the amenities enjoyed by their occupiers.

4.5 As such there are no noise implications either from or to the proposed residential use of the building.

Criteria (c) – Contamination

4.6 The applicant has liaised with Wiltshire Council's Senior Public Protection Officer, who has undertaken a review of the site which concluded that the site is not contaminated. As such, there is no reason to suspect that there are any contamination risks within the building that would require the Council's prior approval.

Criteria (d) – Flood risk

4.7 The building is located within an area of low flood risk (Flood Zone 1). Moreover, the site is not subject to any critical drainage problems or surface water flooding. Importantly, the change of use sought would not increase the built footprint of the building.

4.8 There will be new drainage facilities installed providing adequate foul and surface water drainage. Any newly created drainage for surface water will ensure that any discharge will not increase the chance of flooding elsewhere.

Criteria (e) – Practicality and desirability

4.9 The Regulations state that the change of use will be permitted provided that the location and siting of the building does not make it impractical or undesirable for the building to change from agricultural use to a dwellinghouse. In this regard, the NPPG confirms that 'impractical' or 'undesirable' are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making judgement.

4.10 Impractical reflects that the location and siting would 'not be sensible or realistic', and undesirable reflects that it would be 'harmful or objectionable'.

4.11 The location and siting is not considered to be impractical or undesirable for the following reasons:

- The location of the building is not considered to be isolated as it lies near to the settlements of Heywood, Bratton and Westbury, all of which provide numerous facilities and services.
- The building is not sited in close proximity to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.
- The domestication of the building and its curtilage would not be particularly apparent in the surrounding landscape as it is screened by existing buildings to the south, and is set within the context of an adjacent residential dwelling.
- Vehicular and pedestrian access is already in place.
- The change of use would make good use of an existing redundant agricultural building, and would contribute to the authority's housing supply.

4.12 For the above reasons, it is concluded that the location and siting of the building would not make it impractical or undesirable for it to be used as dwellinghouses.

Criteria (f) – Design and appearance

4.13 The proposals for the design and appearance of the dwellings are shown on the submitted plans. The nature and appearance of the building will not be inappropriate in the setting, and would retain its original agricultural character. The design of the conversions has been carefully considered to enhance the visual appearance of the building, maximise the use of the space available and ensure the practicality and usefulness of the living space. Materials used will be of a high quality and works will be

carried out to the highest standard, to ensure that the building is well constructed and energy efficient. Existing openings are utilised and new openings are limited.

4.14 It is considered that the design of the proposed dwelling will have a positive uplifting effect on the character of the local area than that of the existing built form. The land around the dwellings will be attractively landscaped and the residential garden space will not be unduly prominent when viewed in the context of the countryside. As a result, the proposal will enhance the building and its immediate setting.

5. CONCLUSION

5.1 The application proposal is for the change of use of one agricultural building together with associated building operations to form four modest dwellings.

5.2 This Statement clearly demonstrates that the proposed change of use and building operations proposed are permitted development, as the proposal satisfies the requirements set out in Paragraph Q.1 of GPDO.

5.3 The proposed dwellings would not unacceptably impact upon the safe or efficient use of the highway network, would not give rise to any unacceptable noise impacts, would not increase flood risk and is not at risk from contamination. The building is not isolated, is already connected to the highway network and has access to nearby power and utilities.

5.4 The proposed dwellings are not situated in close proximity to any other uses which are incompatible with residential use. Residential use is not therefore impractical or undesirable in this location. Lastly, the proposed design and appearance seeks to enhance the building and its immediate setting. The proposal therefore meet the conditions set out in paragraph Q.2 (1) of the GPDO..

5.5 The Council's confirmation that this permitted development can proceed is therefore sought.



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