SUPPORTING STATEMENT

for

APPLICATION FOR PRIOR APPROVAL FOR CLASS Q PERMITTED DEVELOPMENT FROM AGRICULTURAL TO RESIDENTIAL

at

CHAPEL MEAD BARN, FOXHAM CHIPPENHAM, WILTSHIRE SN15 4NH

on behalf of

MR R & MRS A SMITH

DOLMAN
Tel: [redacted]
Email: [redacted]
November 2023

CHAPEL MEAD BARN, FOXHAM

CLASS Q PRIOR APPROVAL

Introduction and overall summary

1.0 Dolman Building Surveyors LLP was instructed by Mr R & Mrs A Smith to analyse the previous Class Q refusal (Ref: PL/2022/09602), consider the proposal and if an amended design would be considered permissible. If so, to prepare a re-submission under Class Q (a) and (b) of Part 3 to Schedule 2 of the General Permitted Development Order 2015 (as amended).

Following an assessment by W Drewett MRICS Chartered Building Surveyor and M Mitchell BSc CEng MICE Chartered Structural Engineer, it was considered that with an alternative design and a simplified method of conversion, the building would meet the Class Q criteria.

1.1 This application follows a previously refused application for prior approval. The reason for refusal on the decision notice ref: PL/2022/09602 dated 1 March 2023 was:

"The application submission fails to demonstrate that the works required to the existing structure are those reasonably necessary for the building to function as a dwelling house, which could be contrary to paragraph Q (b) of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The works required are so substantial that the proposed development would result in the rebuild rather than conversion of the existing structure, which goes beyond the scope of the operations permitted by Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)".

Compared to the refused scheme, this proposal has been significantly amended to ensure that only the parts of the building that are capable of conversion are utilised for residential living space and that the method of conversion makes full use of the existing building fabric and structure.

1.2 This application is for determination as to whether Wiltshire Council agree that the proposal is Permitted Development; and whether it's prior approval will be required, by virtue of Q2 sub paragraph (1) (a) to (g) inclusive for the change of use of the building into one single 'smaller' dwelling house, and involving conversion with reasonably necessary building operations.

1.3 The building referred to is at:

Chapel Mead
Foxham
Chippenham
Wiltshire
SN15 4NH
Located behind School House

1.4 The site is not subject to any statutory designations – it is not within a Conservation Area, an Area of Outstanding Natural Beauty, or a Site of Special Scientific Interest, and it is not on Article 2 (3) land. Whilst the nearby Church (St John the Baptist Church) is listed, the subject barn is not within the curtilage of the listed building.

1.5 The building forms part of a farm small holding enterprise.

2.0 Class Q Criteria

Set out below is a table indicating the criteria for Class Q (as described in the Statutory Instrument Ref: 2015 No 595, 2018 No 343, 2019 No 907 and 202 No 632) and comments relating to the Barn.

*Development is **not** permitted by Class Q if: -*	*Comments*	*Compliance with Class Q*
(a) The site was not used solely for an agricultural use as part of an established agricultural unit – i. on 20 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 20 March 2013, for a period of at least 10 years before the date development under Class Q begins	The barn has been solely used for agricultural purposes since 20 March 2013	Yes
(b) In the case of: - i. a larger dwelling house, within an established agricultural unit – aa. the cumulative number of separate larger dwelling houses developed under Class Q exceeds 3; or bb. the cumulative floor space of the existing building or buildings changing use to a larger dwelling house or dwelling houses under Class Q exceeds 465 square metres;	N/A – the application is for a smaller dwelling house	Yes Yes

(c) In the case of: - ii. a smaller dwelling house, within an established agricultural unit – aa. the cumulative number of separate smaller dwelling houses developed under Class Q exceeds 5; or	The application is for one smaller dwelling house	Yes
bb. the floor space of any one separate smaller dwelling house having a use falling within Class C3 (dwelling house) of the Schedule to the Use Classes Order exceeds 100 square metres;	The gross internal floor area is 98m²	Yes
(d) The development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following – i. a larger dwelling house or larger dwelling houses having more than 465 square metres of floor space having a use falling within Class C3 (dwelling house) of the Schedule to the Use Classes Order;	This is the only Class Q application and the floor area is 98m²	Yes
ii. the cumulative number of separate dwelling houses having a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order exceeding 5;		Yes
(e) The site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;	The site is not occupied by a tenancy. The applicant is the freeholder	Yes
(f) Less than 1 year before the date 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;	There have been no tenancies, the applicant is the freeholder	Yes
(g) Development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit – i. since 20 March 2013; or ii. where development under Class Q begins after 20 March 2023,	No development under Class A(a) or B(a) has taken place since 20	Yes

during the period which is 10 years before the date development under Class Q begins;	March 2013 on the agricultural unit	
(h) The development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;	The proposal will not extend the building external dimensions beyond existing extents.	Yes
(i) 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 dwelling house; and ii. partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q1(i) (i);	The proposal will install new windows and doors. The roof will be repaired and retained. The gated walls will be retained and Yorkshire boarding above clad to form castle boarding. All necessary services are reasonable and easily introduced. There are no demolitions proposed and no structural works proposed.	Yes Yes Yes
(j) The site is on article 2(3) land;	The site is not on article 2(3) land as described in Schedule, part 1.	Yes
(k) The site is, or forms part of – i. a site of special scientific interest; ii. a safety hazard area; iii. a military explosives storage area;	The site does not form part of these areas.	Yes
(l) The site is, or contains, a scheduled monument; or	The site isn't nor does it contain a scheduled monument.	Yes
(m) The building is a Listed building	The building is not Listed	Yes

3.0 Class Q Conditions

Having been satisfied that the afore-mentioned Class Q criteria have been met, certain conditions as set out in Q.2 are to be considered: -

3.1 *Q.2(1)(a) Transport and Highways impacts of the development*

The site is reached by means of an existing access off the highway that serves numerous other properties. There is adequate visibility from the access / egress point onto the highway.

There is space available for turning and parking at the site, allowing cars to egress in a forward motion.

This Condition was considered acceptable in the previous scheme, noted in the Case Officer's Report.

3.2 *Q.2(1)(b) Noise impacts of the development*

It is considered that the proposed dwelling will not suffer from any adverse noise impacts perpetrated by the existing/proposed site uses.

As such, it is not considered that any significant noise would impact on the living conditions of the occupants of the proposed dwelling, nor would the dwelling in the proposed location result in noise impacts detrimentally affecting existing neighbouring properties.

3.3 *Q.2(1)(c) Contamination Risks on the site*

The site is and has always been used for agricultural purposes. There is no knowledge of contamination on the site that would affect the residential use.

A site walk over has been carried out and no evidence of contamination has been identified. The occupant / applicant confirmed that they only store hay & straw on site, they do not store oil, diesel, petrol etc, nor do they use sprays on their fields.

This Condition was considered acceptable in the previous scheme, noted in the Case Officer's Report.

3.4 *Q.2(1)(d) Flooding Risks on the site*

Environment Agency flood risk mapping indicates that the site is not in a flood risk area from surface water or rivers/streams.

This Condition was considered acceptable in the previous scheme, noted in the Case Officer's Report.

3.5 *Q.2(1)(e) Location and Siting – practicality and desirability*

The barn is located close to other neighbouring rural properties and within short distance of Christian Malford.

There are good road links to local centres such as Chippenham and Clane which provide a full range of appropriate amenities. Local bus services covering all such destinations are available.

With regard to desirability, the location is considered to be fully so, with far reaching views and easy access to local towns and villages for work and/or commuting further afield via the rail network. There are no harmful or objectionable activities taking place nearby to make the location undesirable.

This Condition was considered acceptable in the previous scheme, noted in the Case Officer's Report.

3.6 *Q.2(1)(f) The design and external appearance of the building*

The revised proposal has been carefully considered to utilise and maintain existing building fabric and structures with new insulation introduced to achieve an appropriate thermal performance to meet Building Regulations requirements.

The necessary building operations required for the conversion are described in the Structural Engineer's Report, all permissible with Class Q Criteria and considered reasonably necessary for the conversion.

3.7 *Q.2(1)(g) The provision of adequate natural light in habitable rooms of the dwelling houses*

The design proposals have taken this into consideration and all habitable rooms have natural light.

4.0 Curtilage

Curtilage is defined under Class X as:

i. The piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purpose of the agricultural building

OR

ii. An area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building, whichever is lesser.

The Barn curtilage indicated is the area of land immediately beside and around the agricultural building, as indicated by the red outlines on Drawing, no larger than the agricultural building. Therefore, the land / curtilage is consistent with the definition referred to.

5.0 Structure and Design

5.1 At an early stage of the review process when assessing whether the building was suitable for Class Q or not, the existing structures, cladding and walls were inspected.

It was considered that the lightweight timber extension to the north of the building was not suitable for conversion to habitable accommodation. This area is therefore designated for a car port with no significant works proposed to it.

5.2 The main original steel frame building was assessed and with the existing cladding (consisting of timber Yorkshire boarding and sheeted gates), along with the roof coverings, all being retained, it was considered that the building would be capable of conversion.

A detailed analysis of the structural aspects of the conversion are detailed in Structural Solutions' Report, however, the summarising extract describes:-

"Generally, the structure can be incorporated into a conversion of the barn without any structural alterations. External walls are of a mixture of materials and these are proposed to be retained but breathable membranes and insulation measures added in the form of non-load bearing timber stud linings added internally. Modifications will be required in order to introduce windows and doors as shown on the architectural drawings, but this can be done without compromising the integrity of the existing structure. Roof cladding is intended to be retained, save for localised repair where required and introduction of rooflights.

A new ground bearing concrete ground slab incorporating a damp-proof membrane, insulation and floor finishes above the concrete will need to be introduced."

The Report goes on to indicate an outline Schedule of Works which is self-explanatory.

5.3 We trust that the Council will agree that there can be no doubt that this revised design proposal constitutes a conversion.

6.0 Planning Practice Guidance and Case Law

The *Planning Practice Guidance 'When is Permission Required' ('PPG')* is highly relevant to this submission. At ID: 13-026-20140306 it advises that:

"Prior approval means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant Parts in Schedule 2 to the General Permitted Development Order. A local planning authority cannot consider any other matters when determining a prior approval application."

6.1 At ID: 13-028-20140306 it continues that:

"The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light-touch process which applies where the principle of the development has already been established. Where no specific procedure is provided in the General Permitted Development Order, local planning authorities have discretion as to what processes they put in place. It is important that a local planning authority does not impose unnecessarily onerous requirements on developers, and does not seek to replicate the planning application system."

6.2 At ID:13-104-20180615 the PPG clarifies what dwellings can be provided under Class Q:

"Subject to a number of conditions and restrictions, agricultural buildings and land within their curtilage may convert to a use falling within Class C3 of the Schedule to the Use Classes Order 1987 (dwelling houses). These conditions and restrictions are set out in Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
The right allows for a maximum number for the following types of houses:
up to 3 larger homes, to be greater than 100 square metres, and within an overall floorspace of 465 square metres; or
up to 5 smaller homes each no greater than 100 square metres; or up to 5 homes comprising a mixture of larger and smaller homes, with neither exceeding the thresholds for each type of home.

The right requires that for larger homes each of the 3 homes has to be larger than 100 square metres in residential use and allows for up to 1 home of 465 square metres in residential use. For smaller homes the right requires that a home can have no more than 100 square metres of floor space in residential use.

Development of dwelling houses other than those defined as "larger" or "smaller" is not allowed under Class Q. In calculating the number of new homes allowed under the right any existing homes within the established agricultural unit not granted permission under Class Q should be discounted."

6.3 At ID:13-105-20180615 it sets out guidance in relation to building works which

are reasonably necessary to convert the building. It states:

"The right allows either the change of use (a), or the change of use together with reasonably necessary building operations (b). Building works are allowed under the right permitting agricultural buildings to change to residential use: Class Q of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015. However, the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore, it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.

For a discussion of the difference between conversions and rebuilding, see for instance the case of Hibbitt and another v Secretary of State for Communities and Local Government (1) and Rushcliffe Borough Council (2) [2016] EWHC 2853 (Admin).
Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q."

6.4 At ID: 13-107-20150305 it states:

"There are some conditions attached to the change to residential use. Before beginning the development, an individual will need to apply to the local planning authority for a determination as to whether its prior approval is necessary. This prior approval will be in respect of transport, highways and noise impacts of the development, and also as to the flooding and contamination risks on the site, and whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a dwelling house. In addition, applicants will need to check whether the prior approval of the authority will be required as to the design or external appearance of the building.

The procedure for prior approval is set out in the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. This procedure was amended in April 2014 to make clear that the local planning authority must only consider the National Planning Policy Framework to the extent that it is relevant to the matter on which prior approval is sought, for example, transport, highways, noise etc."

6.5 It continues at ID: 13-108-20150305:

"The permitted development right does not apply a test in relation to sustainability of location. This is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs. Instead, the local planning authority can consider whether the location and siting of the building would make it impractical or undesirable to change the use to residential."

6.6 Guidance on what is meant by "impractical or undesirable" is provided at ID: 13-109-20150305.

6.7 We have carefully considered planning case law, with particular regard to Hibbitt, (and numerous other more local cases which can be provided on request). This held that the building must be capable of conversion to residential use without operations that would amount either to complete or substantial re-building of the pre-existing structure or, in effect, the creation of a new building. The following extract from paragraph 27 of the judgement is particularly pertinent (with our underlining):

6.8 *"…a conversion is conceptually different to a "rebuild" with (at the risk of being over simplistic) the latter starting where the former finishes. Mr Campbell, for the Claimant, accepted that there was, as the Inspector found, a logical distinction between a conversion and a rebuild. As such he acknowledged that since Class Q referred to the concept of a conversion then it necessarily excluded rebuilds. To overcome this Mr Campbell argued that a "rebuild" was limited to the development that occurred following a demolition and that it therefore did not apply to the present case which did not involve total demolition. In my view whilst I accept that a development following a demolition is a rebuild, I do not accept that this is where the divide lies. In my view it is a matter of legitimate planning judgment as to where the line is drawn. The test is one of substance, and not form based upon a supposed but ultimately artificial clear bright line drawn at the point of demolition. And nor is it inherent in "agricultural building". <u>There will be numerous instances where the starting point (the "agricultural building") might be so skeletal and minimalist that the works needed to alter the use to a dwelling would be of such magnitude that in practical reality what is being undertaken is a rebuild. In fact a more apt term than "rebuild", which also encapsulates what the Inspector had in mind, might be "fresh build" since rebuild seems to assume that the existing building is being "re" built in some way. In any event the nub of the point being made by the Inspector, in my view correctly, was that the works went a very long way beyond what might sensibly or reasonably be described as a conversion. The development was in all practical terms starting afresh, with only a modest amount of help from the original agricultural building</u>."*

6.9 At paragraph 34 the Hibbitt judgement continues:

"..I should say a brief word about two discrete points of construction which were raised in argument. <u>The first concerns the Inspector's analysis of the weight she attached to the extent of the proposed works. In my view she correctly recognised that the extent of the works was not dispositive. In many permitted developments</u>

the work might be extensive yet that does not thereby disqualify a development from automatic permission. I also accept her analysis that the extent of the works to be undertaken was one, amongst other, relevant consideration that could assist in forming a judgment whether the works were part of a conversion or were, instead, part of a rebuild or fresh build. I thus accept the analysis that the extent of the works is a relevant but not dispositive consideration."

6.10 An appeal ref: APP/Y3940/W/18/3196249, paragraph 6 is noted (see appendix) with regard to provision of one new wall not amounting to a rebuild.

By fixing the existing sheeted gates shut (as they commonly are) acting as walls means that it is only a small section of infill walling required for the conversion, much like the above appeal.

7.0 Conclusion

7.1 As set out in the PPG, decision making relating to Class Q prior Approvals should be ‘a light touch process ….. (which should not) impose unnecessarily onerous requirements on developers, and does not seek to replicate the Planning Application system’.

7.2 This revised design and Application submission should provide sufficient evidence to the Council that the barn is structurally sound and suitable for conversion to residential use.

The building operations proposed are strictly necessary to enable the barn to function as a dwelling house and no more.

Having regard to relevant guidance and case law such as the Hibbitt case and Hazmoor Farm case, the proposal clearly constitutes a conversion rather than a fresh build and, whilst the extent of works is relevant but not dispositive in this resubmission Application they are clearly within that permitted by the GPDO.

7.3 The proposal is well supported by the local residents and the Parish Council.

7.4 For all of the reasons set out within this statement and the other supporting documents, it is considered that the revised proposal meets the Class Q GPDO.

Appendix 1

Appeal Decision
APP/Y3940/W/18/3196249

The Planning Inspectorate

Appeal Decision

Site visit made on 4 September 2018

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th September 2018

Appeal Ref: APP/Y3940/W/18/3196249
Hazmoor Farm, Cricklade Road, Purton, Swindon, Wiltshire, SN5 4HY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order.
- The appeal is made by Mr John Elliott against the decision of Wiltshire Council.
- The application Ref 17/06412/PNCOU, dated 30 June 2017, was refused by notice dated 25 August 2017.
- The development proposed is the change of use of an agricultural building to a dwellinghouse.

Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order for the change of use of an agricultural building to a dwellinghouse at land at Hazmoor Farm, Cricklade Road, Purton, Swindon, Wiltshire, SN5 4HY in accordance with the terms of the application Ref 17/06412/PNCOU, dated 30 June 2017, and the plans submitted with it, subject to the schedule of conditions below.

Main Issue

2. The main issue is whether the proposed change of use constitutes permitted development under the provisions of Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Reasons

3. The proposed development involves two barns, one in a relatively good state of repair, referred to by the parties as Barn A, and the other in a poorer condition, namely Barn B. These barns are attached to each other forming an 'L' shaped building.

4. Class Q permits a change of use of a building to a dwellinghouse together with reasonably necessary building operations. These include the installation or replacement of windows, doors, roofs, and exterior walls. The Council raise no objection with respect to Barn A. However, they consider that the works required to convert Barn B go beyond that which could be considered reasonably necessary, and instead, the Council assert that the works amount to rebuilding.

5. Barn B is single storey and of stone construction on three sides with an open front. On my site visit there was no serious signs of damage or failure of the existing external walls of Barn B and they appeared structurally sound. A visual structural inspection of the building carried out by David Smith Associates, Consulting Structural and Civil Engineers, confirms the same. A later report by the above engineers also confirms that the existing floor in Barn B can be lowered to provide additional head room without undermining the foundations of these walls, providing the floor is lowered to no more than the existing foundation level which, following investigation was shown to be approximately 400mm.

6. It is clear, therefore, on the evidence before me, that the three existing perimeter walls of Barn B can be retained. A new front wall would be required but Class Q allows for the installation of exterior walls. The installation of one exterior wall out of four would not, in my opinion, amount to a rebuild of the barn, but instead works reasonably necessary to facilitate the change of use of the building to a dwellinghouse, which is permitted under Class Q.

7. The roof of Barn B was originally finished in slate tiles but this is now in a poor state of repair and has been covered with corrugated sheeting. The report on the visual structural inspection of the building notes that extensive repair works to replace and repair purlins, rafters, battens and wallplates are required and also it would appear new slates would be needed in places. However, again, Class Q allows for the replacement of roofs. There is a roof in place, and its replacement, in my opinion, would amount to works reasonably necessary to facilitate the permitted change of use.

8. Having considered the building operations required to convert Barn B to residential use I find that these fall within the scope of building operations permitted by Class Q. Also, there is nothing before me to lead me to conclude that Barn B is not capable of taking the loading associated with its residential conversion. On the evidence before me I therefore find that both Barn A and Barn B are suitable for conversion to residential use and as such these buildings can be considered to have the permitted development right.

Other matters

9. The Council refer to Hibbitt v SSCLG [2016] EWHC 2853 and a recent appeal decision. However, the buildings in both cases were steel portal framed structures and as such are materially different to the building before me in this appeal. Consequently, these matters do not alter my findings above.

10. The Council, in their officer's report have considered whether prior approval is required with respect to the matters set out under paragraph Q.2 (1) and (2) of Class Q and conclude that the proposal meets these conditions, and I find no reason to disagree.

Conditions

11. Any planning permission granted for a change of use of an agricultural building to a dwellinghouse under Article 3(1) and Schedule 2, Part 3, Class Q is subject to condition Q.2 (3) which specifies that any development must be completed within a period of 3 years starting with the prior approval date. Prior approval may also be granted subject to conditions reasonably related to the subject

matter of the prior approval. To this end, the Council have suggested a number of conditions which I address below.

12. The access track from the main road to the site is narrow and single track only. Passing places are required along this in the interest of highway safety. It is not clear from the plans before me that this track is in the control of the applicant, but equally there is nothing to suggest it isn't, and it is an access road which serves the wider Haxmoor Farm site, which is the address of the appellant. Therefore I consider there is a good prospect that the passing places can be provided along this track within the time-limit imposed by the permission. There is, however, plenty of space for parking and turning at the appeal site therefore I do not consider it necessary to include this within the condition.

13. The site is also at risk from surface water flooding therefore conditions to ensure satisfactory discharge of surface water and foul drainage from the site are necessary. However, given that the barn is set well away from any neighbouring properties I do not consider a condition setting out hours of construction to be necessary. It is also unlikely, on the evidence before me, that the works to convert the buildings would result in the burning of material on site therefore a condition to this effect is also not necessary.

Conclusion

14. In light of my findings above the proposed change of use is permitted development under Class Q. I therefore conclude that the appeal should be allowed.

Hayley Butcher

INSPECTOR

SCHEDULE OF CONDITIONS

1) No part of the development hereby permitted shall be occupied until (i) details of the access (to include the access track from the road to the site) have been submitted to and approved in writing by the Local Planning Authority and (ii) the access has been provided in accordance with the approved details. The access shall be maintained as approved at all times thereafter.

2) No development shall commence on site until a scheme for the discharge of surface water (including surface water from the access/driveway), incorporating sustainable drainage details together with any identified water course maintenance requirements in the offside downstream system and all required third party approvals, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

3) No development shall commence on site until a scheme for the discharge of foul water, including all required third party approvals, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until foul water drainage has been constructed in accordance with the approved scheme.