

PLANNING STATEMENT OF INTENTIONS

IN RELATION TO

A CLASS R CHANGE OF USE

**FOR THE CHANGE OF USE OF AN AGRICULTURAL BUILDING TO
CLASS E COMMERCIAL USE**

AT:

**FARMYARD AT WESTBROOK ROAD, BROMHAM, CHIPPENHAM,
SN15 2ED**

APPLICANT: NONSUCH FARM LIMITED

PREPARED BY:

PIPPA WILDERN MRICS FAAV

**WEBBPATON LLP, THE DAIRY, HOOK,
ROYAL WOOTTON BASSETT, WILTSHIRE, SN4 8EF**

NOVEMBER 2025

Partners

Mark Webb FRICS FAAV
Libby Barron MRICS FAAV
Becky Farthing MRICS FAAV
Helen Wiltshire MRICS FAAV
George King MRICS FAAV MBIAC

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**WebbPaton LLP Rural
& Commercial Valuers**

The Dairy Hook
Royal Wootton Bassett
Wiltshire SN4 8EF

www.webbpaton.co.uk

1. INTRODUCTION

1.1. This short Statement of Intentions describes the information necessary to comply with the General Permitted Development Order 2015, as amended, Schedule 2, Part 3, Class R. The Grid Reference for the site is ST 9636 6618 and co-ordinates are X (Easting) 396391 and Y (Northing) 166179.

1.2. This Statement sets out:

- the Class R provisions in section 2;
- a description of the building and its planning history in section 3;
- a description of the proposals in section 4;
- why Class R principles apply in section 5;
- and the information needed in section 6.

2. CLASS R PERMITTED DEVELOPMENT RIGHTS

2.1. In April 2015 the Government allowed for the change of use of an agricultural building and land within its curtilage to a flexible commercial use as a permitted development right, falling within Permitted development rights under Class R form part of the General Permitted Development Order (2015) and defined under Schedule 2, Part 3, Class R as amended.

2.2. We understand that since May 2024, the Use Classes have now been updated and the definition under Schedule 2, Part 3, Class R of the GPDO now reads; *Development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use:*

(a) falling within one of the following provisions of the Use Classes Order—

- (i) Class B2 (general industrial) of Schedule 1.*
- (ii) Class B8 (storage or distribution) of Schedule 1.*
- (iii) Class C1 (hotels) of Schedule 1.*
- (iv) Class E (commercial, business or service) of Schedule 2; or*
- (v) Class F.2(c) (outdoor sport or recreation) of Schedule 2.*

- 2.3. For reference, the definition of ‘Agriculture’ under the Town and Country Planning Act 1990 includes *“horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds”*.
- 2.4. Where the cumulative floor area changing use is less than 150m², paragraph R3 (1) (a) applies and where the floor area is more than 150m² but less than 500 m², paragraph R3 (1) (b) applies.
- 2.5. This application relates to a change of use of a small agricultural building accumulating to a total application area of 89.27m². Therefore, paragraph R3 (1) (a) applies in this instance.
- 2.6. Paragraph R3 (1) (a) is a notification process. It requires that, before changing the use of the site under Class R, and before any subsequent change of use to another use falling within one of the use classes comprising the flexible use, the developer must provide the following information to the local planning authority:
 - The date the site will begin to be used for any of the flexible uses.
 - The nature of the use or uses; and
 - A plan indicating the site and which buildings have changed use.
- 2.7. There are limitations to the Class R permitted development rights, set out in R.1. This states that development is not permitted where:
 - The site was not used solely for an agricultural use as part of an established agricultural unit on 3rd July 2012 or, in the case of a building which was brought into use after this date, for a period of at least 10 years before the date development under Class R begins.
 - The cumulative floor space of buildings which have changed use under Class R within an established agricultural unit exceeds 1,000m².
 - The site is, or forms part of, a military explosive storage area.
 - The site is, or forms part of, a safety hazard area; or
 - The building is a listed building or a scheduled monument.

3. THE PROPOSAL

- 3.1. It is proposed to use the site edged red on the site plan submitted alongside this planning statement for a retail unit. This would fall within use Class E. The permitted development rights in Class R only allows for a change of use, and it does not permit any building operations. No building operations are proposed.
- 3.2. The building is to be used by the applicant as a small retail unit catering for the local residents and those using the nearby footpaths.

4. WHY CLASS R PRINCIPLES APPLY

- 4.1. There are no other buildings within the establish agricultural unit for which Class R has been applied for.
- 4.2. Accordingly, the cumulative floor area of the building changing use is less than 150m² totalling 89.27m². Therefore, Paragraph R3 (1) (a) applies.
- 4.3. The Class R permitted development rights apply to the building and any land within its curtilage.
- 4.4. The land within the curtilage extends to 66.79m² which is the area to the west of the agricultural building and is suitable to accommodate parking for a few cars. This is shaded grey on the enclosed site plan.
- 4.5. It is clear that the current use of the land within the curtilage, and the building itself, is agricultural, as per the Town & Country Planning Act 1990's definition and has been since 3rd July 2012.
- 4.6. The building is not listed, and the site is not within any safety hazard or military explosives areas.
- 4.7. Taking into account the above, the permitted development rights should apply in principle.

5. INFORMATION REQUIRED

5.1. In accordance with R3, the following information is required:

- Date the site will begin to be used for any of the flexible uses – 1st December 2025
- Nature of the use or uses – These will be within Class E
- A plan indicating the site and which buildings have changed use – A plan has been submitted alongside this planning statement.

5.2. There are no conditions that would prevent Class R from applying as the development accords with Class R and the appropriate notification process has been followed.

5.3. The Council is invited to record this information.