

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Prior approval Part 3 Class R: Agricultural buildings to a flexible commercial use - Prior Approval Refused

Application Reference Number: PL/2025/09833

Decision Date: 03/02/2026

Applicant:	Mrs Janna Baker 51 High Street, Dilton Marsh, Westbury, BA13 4DW
Particulars of Development:	Prior approval Part 3 Class R: Agricultural buildings to a flexible commercial use -Agricultural buildings to Class E gymnasium (see additional document for further details)
At:	FULLINGBRIDGE FARM, 41 PARK LANE, HEYWOOD, WESTBURY, BA13 4NB

The local planning authority has determined in this case that full planning permission will be required and that this application for prior approval is **REFUSED** for the following reason(s):

Refusal Reason

- 1 The subject 'building' on the site comprises a steel frame which has been attached to an existing building without the grant of planning permission or being subject to prior notification procedure for agricultural buildings. In the absence of a lawful development certificate being granted and with the benefit of dated aerial imagery which indicates that the steel frame was not present on site until 2021, it is considered to be unlawful and cannot therefore benefit from permitted development rights, as set out in the Procedural Notes (Article 3 - Permitted Development, criteria (5)(a)) of the Town & Country Planning (General Permitted Development)(England) Order 2015 (as amended).

Furthermore, having regard to the provision in Class R.1 (a), as the evidence indicates that the building did not exist on 3rd June 2012 and has not been present on site for a period of at least 10 years, it cannot be concluded that the building has been used solely for an agricultural use as part of the an established agricultural unit for a period of 10 years before the date development under Class R begins and therefore development is not permitted by Class R of Part 3 of Schedule 3 of the Town & Country Planning (General Permitted Development)(England) Order 2015 (as amended).

Nic Thomas - Director of Planning, Economy and Regeneration