



Planning Statement

Class R Prior Approval – Change of Use of Farm Buildings to Flexible Commercial Use

Address

Manor Farm, Sopworth, SN14 6PS

Date

June 2026



BADMINTON ESTATE

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1.0 Introduction

- 1.1. This Planning Statement ('Statement') has been prepared by Badminton Estate in support of a Class R application to change the use of three agricultural buildings at Manor Farm, Sopworth to Use Class E.
- 1.2. The buildings became largely redundant following the surrender of an agricultural tenancy in 2022 and the Estate are now looking to find a suitable commercial tenant to occupy the buildings. To this end, a mix of office, light industrial and ancillary storage use is sought. It is intended that the site will be let to a single occupier.
- 1.3. The proposed description of development is:

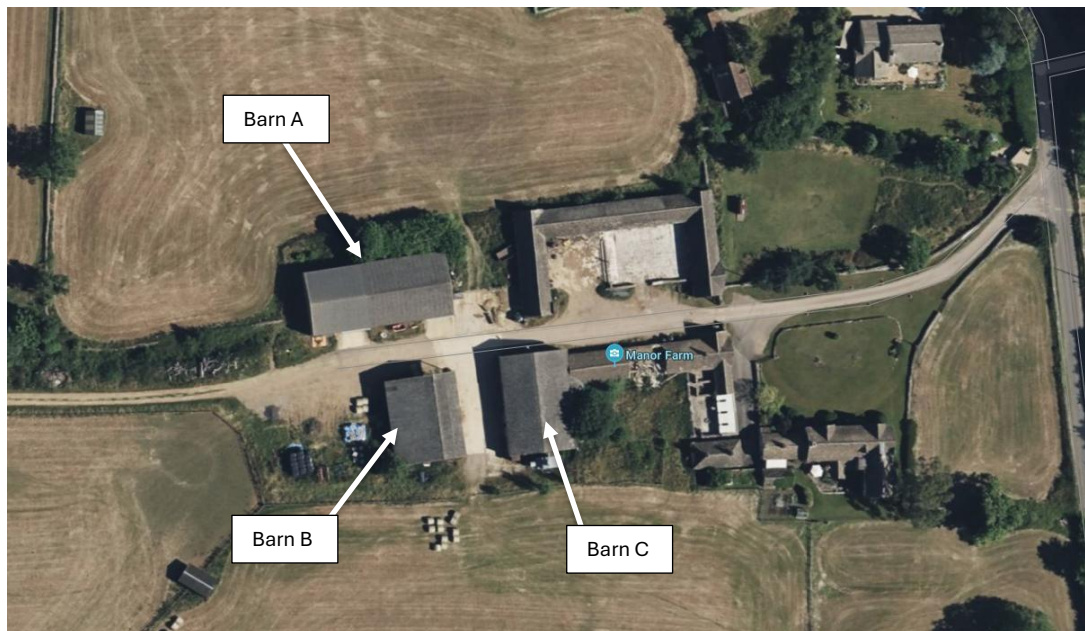
"Change of Use of 3 no. agricultural buildings to flexible commercial use falling within Use Class E with ancillary storage"
- 1.4. The prior notification is accompanied by:
 - This Planning Statement prepared by Badminton Estate
 - Site Location Plan
 - Transport Statement
- 1.5. This Statement, together with the supporting information, provides the Council with the evidence needed to confirm that the proposed change of use is permitted development under Class R and would not give rise to any unacceptable site-specific impacts. As such, we look forward to the Council's confirmation that the proposal is permitted development in due course.



2.0 Site & Proposal

- 2.1. The application site comprises a group of agricultural buildings at Manor Farm, located on the southern edge of Sopworth. The site lies in a rural setting on the edge of the village and is accessed via an existing single-track farm access which also serves a tenanted farmhouse.
- 2.2. The buildings subject of this application consist of three agricultural barns (referred to as Barns A, B and C), which are of modern construction and are currently vacant. Despite informal agricultural use until recently, they have not been part of a formal agricultural tenancy since 2022. The buildings are identified below.

Insert 1: Manor Farm, Sopworth



- 2.3. The buildings are pictured below.

Photograph 1: Modern Farmyard



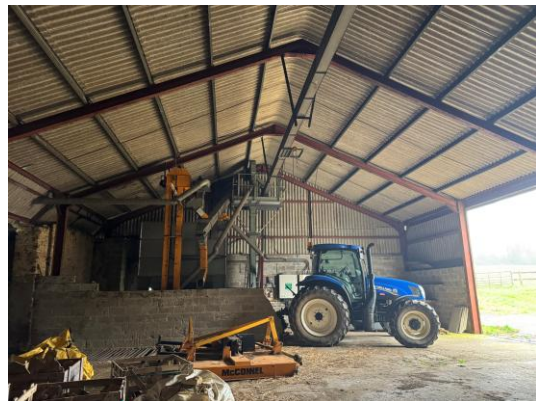
Photographs 2-3: Barn A



Photographs 4-5: Barn B



Photographs 6-7: Barn C



2.4. The floor areas of the buildings are as follows:

- Barn A – 13.2m x 30.4m = 401.28m²
- Barn B – 14.5m x 18.3m = 265.35m²
- Barn C – 13.5m x 20.9m = 282.14m²



Surroundings

- 2.5. The wider context is characterised by a mix of agricultural land, farmsteads and residential properties. While Sopworth itself offers limited facilities, the site benefits from reasonable accessibility, being located approximately 5 minutes from Sherston and around 15 minutes from Junction 17 of the M4 motorway.

Designations

- 2.6. The site is located within the Cotswold National Landscape and mostly within Sopworth Conservation Area, however, these designations do not preclude the availability of Class R.
- 2.7. None of the buildings are listed, and the site is located within Flood Zone 1.

Planning History

- 2.8. The site benefits from a limited planning history associated with its agricultural use, including:
- N/79/00065/F – Conversion of a fire-damaged stone barn to a steel framed agricultural building (Barn C);
 - N/99/00214/FUL – Erection of an agricultural grain store (Barn A);
 - N/12/01570/AGN – Extension to an agricultural building (Barn A).

Proposed Development

- 2.9. This application seeks prior approval under Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of the existing agricultural buildings to flexible commercial uses.
- 2.10. The proposal involves the change of use of the buildings to Use Class E (Commercial, Business and Service) with ancillary storage;
- 2.11. The application relates solely to the change of use of the buildings, with no operational development proposed as part of this submission. Any external alterations or associated works would be subject to separate applications, where required.



3.0 Legislative Context

3.1. Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows for the change of use of agricultural buildings to a flexible commercial use.

3.2. More specifically, Class R, inter alia, permits:

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; or*

3.3. Section R.1 sets out the instances where development is not permitted, and these are considered in full in the following chapter.

3.4. Section R.2 sets out the conditions to which development under Class R is subject to.

3.5. Section R.3 confirms that the developer must, 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:

- transport and highways impacts of the development;
- noise impacts of the development;
- contamination risks on the site; and
- flooding risks on the site.

3.6. Assessments of legislative compliance are set out in the following chapters of this Statement.



4.0 Principle of Development

- 4.1. The principle of Class R is governed by Section R.1, which details the instances where development is not permitted. Each of these criteria are considered below.

Agricultural Unit

- 4.2. Development is not permitted if:
- (a) the building was not used solely for an agricultural use as part of an established agricultural unit—*
 - i. on 3rd July 2012;*
 - ii. (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. (iii) in the case of a building which was brought into use after 3rd July 2012, for a period of at least 10 years before the date development under Class R begins;*
- 4.3. On the 3rd July 2012, the site was occupied under an Agricultural Holdings Act (AHA) tenancy. The tenant farmed a total of 275.74 acres (111.59 hectares) of land at Manor Farm, Sopworth.
- 4.4. An AHA tenancy was agreed for the land at Manor Farm, Sopworth on the 22nd December 2005.
- 4.5. On the 3rd July 2012, the agricultural unit was made up of the land occupied on said AHA tenancy.
- 4.6. This land continued to be farmed by the tenant until the tenancy was surrendered on the 31st December 2022. Evidence of this can be provided to the Council on a confidential basis should it be required.
- 4.7. To corroborate this information, it should be noted that on the 28th May 2012, an agricultural prior approval was submitted to enlarge the existing grain store. The total agricultural unit, as set out on the application form, was 111.6 hectares. This corresponds to the area of land included within the AHA.
- 4.8. By the 26th June 2012, the Council confirmed that prior approval was not required.
- 4.9. Since agricultural permitted development rights are only available to agricultural units, and the dates coincide with the Class R legislation, it can be concluded beyond reasonable doubt that the buildings were part of an established agricultural unit on the 3rd July 2012 and were used solely for the purposes of agriculture.



Floor Space

- 4.10. The legislation limits the floorspace as follows:
- (b) the cumulative floor space of buildings which have changed use under Class R within an established agricultural unit exceeds 1,000 square metres;*
- 4.11. Three buildings are included within this application, and their floor spaces (GIA) are as follows:
- Barn A – 13.2m x 30.4m = 401.28m²
 - Barn B – 14.5m x 18.3m = 265.35m²
 - Barn C – 13.5m x 20.9m = 282.14m²
- 4.12. The total internal floor space proposed to change use under Class R totals 948.77m² and falls below the threshold of 1000m².

Designations

- 4.13. Additionally, the legislation confirms that development is not permitted where:
- (c) the site is, or forms part of, a military explosives storage area;*
- (d) the site is, or forms part of, a safety hazard area; or*
- (e) the building is a listed building or a scheduled monument.*
- 4.14. The site does not form part of a military explosives storage area nor is it part of a safety hazard area.
- 4.15. All the buildings subject of this application are of modern construction and are not listed.
- 4.16. Barn C is shown on Wiltshire Planning Explorer to be listed, however we believe this to be a mapping error. On the site of Barn C was a traditional Cotswold barn however this burnt down in the 1970s and was replaced by a modern steel portal framed building which was approved under application reference N/79/00065/F. The adjoining traditional farmyard was not listed until 1986 by which time the modern building had replaced the former Cotswold stone barn.

Other Matters

- 4.17. The legislation, alongside allowing the change of use of buildings, also allows the use “*of any land within its curtilage*” for flexible commercial use. **Paragraph X** of Part 3 defines curtilage as the lesser of:



(a) the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or

(b) an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building,

4.18. In this case, the total curtilage proposed to change use amounts to 917m² as identified on the Site Plan. As this falls below the total floor space proposed to change use, it complies with paragraph X(b) of the legislation.

4.19. **Paragraph W** of Part 3 sets out the procedure for prior approval applications under Part 3. These requirements are met in that:

- A written description of the development is set out on the application form and within this Planning Statement;
- A site plan accompanies the application that clearly shows the buildings proposed to change use and the associated curtilage

4.20. The written description is contained within this Statement and the application form, and a site plan drawn at an identifiable scale is submitted in support of the application. Accordingly, these requirements are met.



5.0 Section R.3 Assessment

5.1. Having found that the proposal complies with the legislative criteria as set out under Section R.1, due regard is now had to the discretionary matters to which the Council can consider under Section R.3.

5.2. Due to the total floor area exceeding 150m², the Council can consider whether their prior approval of the following matters is required:

- transport and highways impacts of the development;
- noise impacts of the development;
- contamination risks on the site; and
- flooding risks on the site,

Transport and Highways Impacts

5.3. Careful consideration has been given to the potential transport and highway impacts of the development, and due regard should be had to the accompanying Transport Statement.

5.4. An Automatic Traffic Count undertaken between 25 April and 1 May 2026 confirms that the adjacent Unnamed Road is lightly trafficked, accommodating approximately 28 vehicles in the AM peak hour, 31 in the PM peak hour and 298 vehicles across the day. Average speeds are also low at 23.5mph northbound and 22.7mph southbound.

5.5. The Transport Statement identifies that the proposed development would generate only modest additional traffic, equating to approximately 9 two-way vehicle trips in the AM peak and 11 in the PM peak hour, representing a negligible uplift.

5.6. There is no evidence of existing highway safety issues in the vicinity of the site, with no recorded personal injury collisions within the most recent five-year period.

5.7. It is acknowledged that there are some existing limitations in respect of visibility to the south due to the presence of a roadside stone wall. However, there are two options to address the issue;

- Relocate the wall behind the visibility splay; or
- Reduce the height of the wall to 0.9m for the length of the visibility splay

5.8. Schedule 2, Part 2 of the GPDO allows for the “*alteration of a gate, fence, wall or other means of enclosure*”.



5.9. The only limitations to this are that such development is not permitted where it would involve development within the curtilage of a listed building, and where the wall would exceed 1m in height when located adjacent to a highway. Importantly, the wall does not form part of the curtilage of a listed building.

5.10. On this basis, the works to improve visibility at the access could be controlled by way of condition. It is suggested that the following condition be imposed:

“The use hereby permitted shall not commence until the visibility at the site access has been improved through either the lowering of the adjacent wall to a maximum height of 0.9 metres above carriageway level or its repositioning behind the visibility splay, in accordance with details shown on drawing no. 260386-RAP-XX-XX-DR-TP-3001. The approved visibility arrangements shall thereafter be retained for the lifetime of the development.”

Noise Impacts

5.11. The application site is currently in lawful agricultural use, and the buildings have historically been used for the storage of grain and agricultural machinery. Such activities can give rise to noise, particularly on a seasonal basis. For example, the use of grain drying equipment and associated machinery is typically intensive during harvest periods and can generate intermittent but notable levels of noise, which can continue throughout the day and night.

5.12. This established lawful fallback position is an important material consideration, as it demonstrates that the site already has the ability to accommodate noise-generating activities associated with agriculture.

5.13. The proposed uses, by their nature, are generally compatible with rural and residential environments.

- Class E uses, particularly office-based activities, are typically low intensity and do not generate significant external noise beyond comings and goings;
- Light industrial processes within Class E are, by definition, those which can operate within a residential area without giving rise to unacceptable impacts;
- Ancillary storage uses are generally characterised by relatively low levels of operational noise, typically limited to vehicle movements and occasional loading/unloading activities.

5.14. In this context, the proposed uses would represent a comparable or reduced noise profile relative to the lawful agricultural use of the site, particularly given the absence of intensive seasonal operations such as grain drying.



- 5.15. Notwithstanding the above, and in the interests of providing additional protections, an hours of use condition would not be resisted. A suitable condition could be worded as follows:

The use of the buildings for commercial purposes (Class E) shall be limited to the following hours:

0730–1800 Mondays to Fridays,

0800–1300 Saturdays,

with no operations on Sundays or Bank Holidays.

Contamination Risks

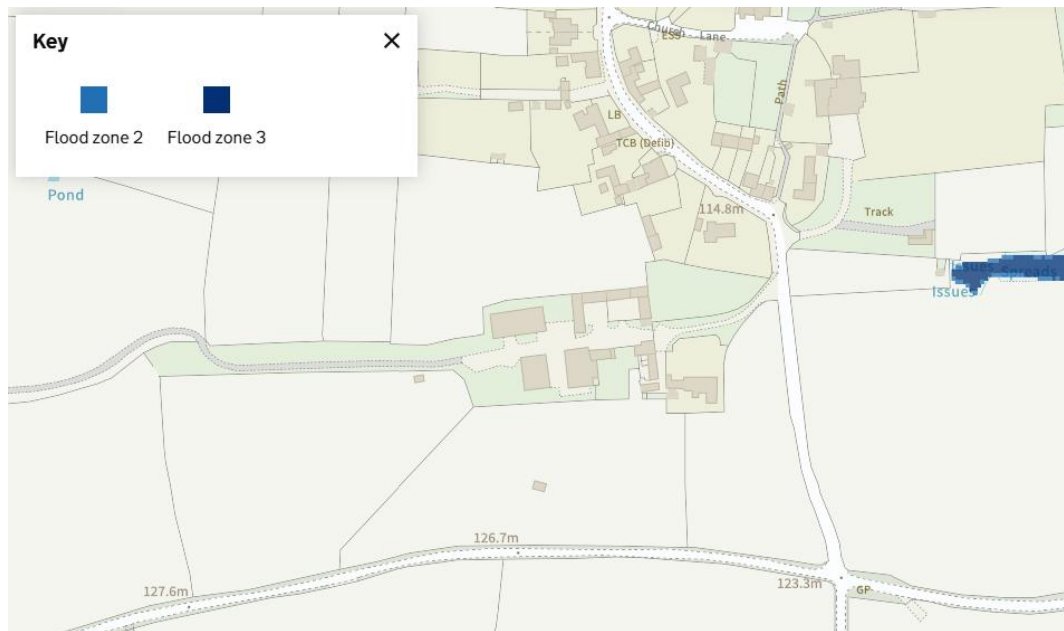
- 5.16. Buildings A and C have historically been used for grain storage, whilst Barn B has been used for the storage of agricultural machinery and straw bales. This established pattern of use is not typically associated with contamination-generating activities. In particular, grain storage operations require clean and controlled environments and would not reasonably be co-located with hazardous chemical storage, given the obvious risk of cross-contamination and damage to agricultural produce.
- 5.17. Barns A and C both benefit from sealed concrete floors, with Barn A in particular being in very good condition. Such construction reduces any potential pathway for contamination to the underlying ground. In addition, Barn B is of open-sided construction, which would be unsuitable for the storage of hazardous or polluting substances due to the lack of security and environmental protection.
- 5.18. In any event, this application is made under Class R and relates solely to the change of use of the buildings only. No operational development or ground works around the building are proposed that has the potential to reveal contamination.
- 5.19. On this basis, it is considered that contamination does not represent a constraint to the proposed development and should not necessitate further investigation under the scope of this prior approval application.

Flooding Risks

- 5.20. The site is located in Flood Zone 1, as illustrated on the map below.

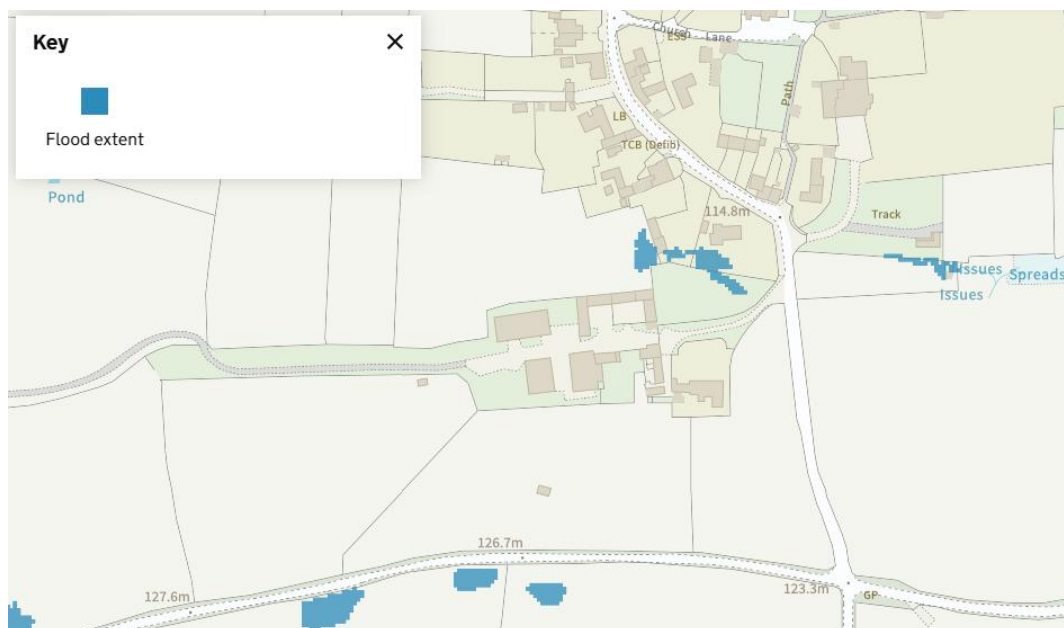


Insert 2: Flood Risk Map



- 5.21. Furthermore, the site is not shown as being at any significant risk from surface water flooding, as illustrated below.

Insert 3: Surface Water Flood Risk Map



- 5.22. The proposal relates solely to the change of use of existing buildings with no operational development, additional roof space or ground alteration proposed. As such, there is no likelihood that flood risk could be increased either on-site or elsewhere.



6.0 Summary & Conclusion

- 6.1. This Planning Statement has been prepared in support of a Class R prior approval application for the change of use of three agricultural buildings at Manor Farm, Sopworth to flexible commercial uses (Use Class E). The proposal seeks to bring redundant buildings back into productive use and support the rural economy.
- 6.2. The proposal fully complies with the requirements of Schedule 2, Part 3, Class R of the GPDO, as demonstrated throughout this Statement. In summary:
- The buildings formed part of an established agricultural unit on 3rd July 2012 and were used solely for agricultural purposes at that time;
 - The total cumulative floor space is 948.77m², which falls below the 1,000m² threshold;
 - The site is not within a military explosives storage area or safety hazard area, and the buildings are not listed;
- 6.3. In addition to the legislative compliance, matter for which prior approval may be required relate to transport, noise, contamination and flood risk. These matters have been robustly assessed, and it has been found that:
- **Highways:** Traffic speeds are low and a clear, deliverable solution exists to improve visibility through works to the roadside wall. These works can be undertaken as permitted development and can be secured via an appropriately worded compliance condition to improve visibility prior to first use.
 - **Noise:** In terms of noise, the lawful agricultural use of the site establishes a fallback position which includes potentially noisy seasonal operations such as grain drying. The proposed uses would be compatible with the site's location, but for the avoidance of doubt, any potential effects can be appropriately controlled through a condition restricting hours of use.
 - **Contamination:** the historic use of the buildings for grain storage, machinery and straw is not generally associated with high risk of contamination. The presence of sealed concrete floors and the open-sided nature of part of the site further reduce any potential risk. The risk is further reduced as a result of there being no operational development proposed around the buildings.



- **Flood Risk:** the site lies within Flood Zone 1 and is not affected by surface water flooding. As the proposal relates solely to a change of use with no physical works, it will not increase flood risk on or off the site.

6.4. There are no legislative or technical grounds on which prior approval could reasonably be withheld. Accordingly, it is respectfully requested that the Local Planning Authority confirms that prior approval is not required, or where required, is granted without delay.





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