

Development Services – North
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

21st September 2026

Dear Sir/ Madam,

**PRIOR APPROVAL NOTIFICATION FOR THE
PROPOSED CHANGE OF USE OF A BUILDING IN A CLASS E
USE TO A DWELLINGHOUSE (CLASS C3)**

1. INTRODUCTION

- 1.1. In accordance with Schedule 2, Part 3 Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015, (as amended) (“the GPDO”), we write to Wiltshire Council to determine if prior approval is required for a proposed change of use of an existing commercial building at Crudwell Court Farm, Crudwell, Wiltshire, SN16 9EW to a C3 (dwellinghouse) use. This letter has been prepared on behalf of Mr James Thornton (‘the applicant’).
- 1.2. Part MA.2.(2) of the General Permitted Development Order (GPDO) requires the developer to apply to the local planning authority for a determination as to whether the prior approval of the authority will be required.
- 1.3. The proposal is the change of use of the existing single-storey commercial barn and land within its established curtilage to one two-bedroom dwellinghouse. The building benefits from a lawful former Class B1 business use granted by permission N/05/00138/COU and now falls within Class E(g). The proposal satisfies the limitations in paragraph MA.1 and the defined prior approval matters in paragraph MA.2 can be made acceptable.
- 1.4. This letter addresses the change of use authorised by Class MA. The proposed external alterations, including new and altered openings, replacement roof covering, flue, rainwater goods and associated physical landscaping works, do not form part of the permitted development sought through this application. They are to be the subject of a separate application for planning permission. The residential use would not be commenced until all permissions necessary to deliver a lawful and habitable dwelling are in place.
- 1.5. This letter is accompanied by:

- Location plan (068.L.001)
- Existing block (25019.1000.2), floor & elevation plans (25019.1002.2)
- Proposed block (25019.1001.3), floor & elevations plans (25019.1003.3)
- A preliminary ecological appraisal (PEA) & bat risk assessment (BRA)
- Appropriately completed planning application form
- The assessment contained below of the proposal against the requirements of Class MA;

2. SITE AND SURROUNDINGS

- 2.1. The subject site is located to the northern edge of the North Wiltshire village of Crudwell, accessed off (and west of) the A429, as outlined on the map extracts below;

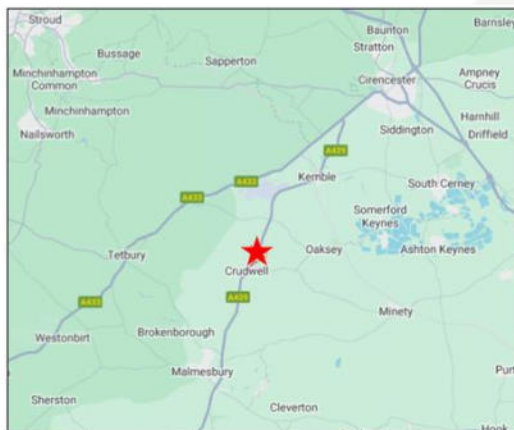


Figure 1: Location (source: google.com/maps)

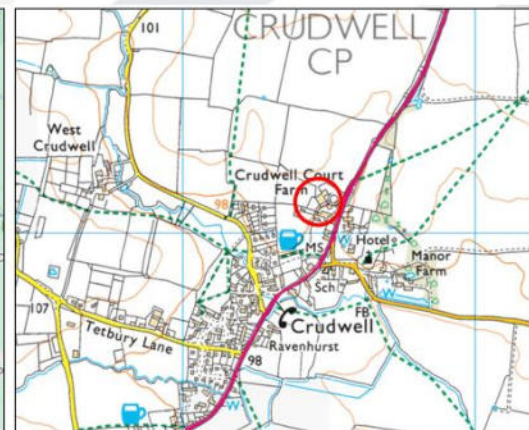


Figure 2: OS map extract (source: streetmap.co.uk)

- 2.2. The application building forms part of an established group of former agricultural and ancillary farm buildings arranged around a shared yard. The complex includes commercial buildings and stables and is read as a compact range of edge of village buildings.



Figure 3: Satellite image of subject site (source: google.com)

EXISTING BUILDING

- 2.3. The subject building is single storey, rendered and utilitarian in character, with metal profiled and corrugated sheet roof coverings. It is connected to the adjoining stable range by a lower link. Existing openings face principally into the internal yard. The building and yard have an established functional and physical relationship.



Figure 4 & 5: Recent images of subject site – External

- 2.4. The building benefits from a fully concreted floor throughout, and is clearly in good structural condition, capable of conversion to a residential use without requiring substantial rebuilding.

PLANNING HISTORY AND LAWFUL USE

- 2.5. Planning permission N/05/00138/COU granted by North Wiltshire District Council on 14th March 2005 approved the “Change Use of Agricultural Buildings to B1 (Business) Use”.
- 2.6. The building was initially used for low-key manufacture and assembly, with limited sales, connected to children’s play equipment made on the site, by the applicant’s parents.
- 2.7. The decision established the lawful B1 use of the buildings identified by that application. The former Class B1 use was absorbed into Class E on 1 September 2020. The application building is therefore in a qualifying Class E use for Class MA purposes.
- 2.8. The 2005 permission contains six conditions, none of which sought to remove permitted development rights or prevent a later change from the authorised business use where that change is otherwise permitted by the GPDO.
- 2.9. The building has remained within the authorised B1 and subsequent Class E planning use for the continuous period required by paragraph MA.1(1)(b). The application is accompanied by a copy of the 2005 decision, provided at appendix 1.

- 2.10. The existing building more recently has been used as an office to carry out the operational and administrative functions associated with the applicant's marquee business 'Malmesbury Marquees' as illustrated below;

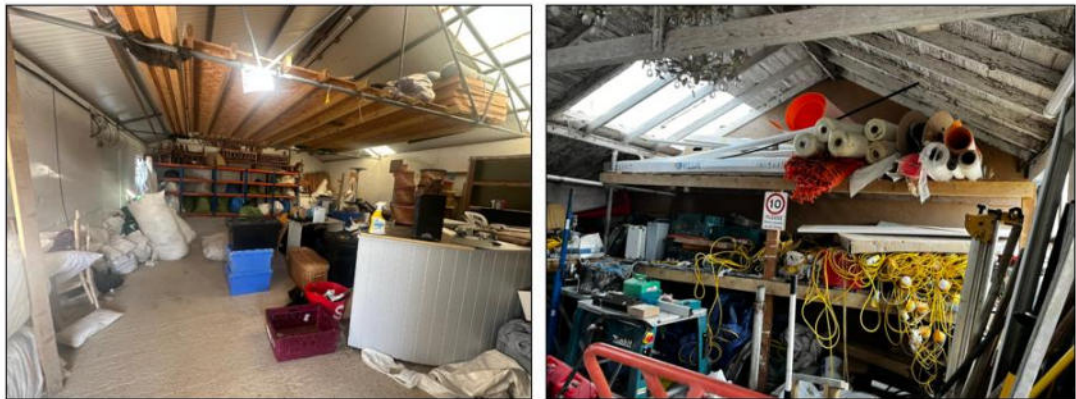


Figure 6 & 7: Recent images of subject site – Internal

- 2.11. Most recently (under planning reference PL/2026/02091), a change of use of an agricultural building to a commercial use located to the north of the subject site has been approved, enabling the relocation of the established commercial use.
- 2.12. This leaves the existing unit available for conversion to residential, which will be occupied by the applicants' parents enabling them to downsize from the principal farmhouse at Crudwell Court Farm.

SITE DESIGNATIONS

- 2.13. **Landscape** – The site (and wider village) is notably not located within the nearby designated Cotswold National Landscape (formerly Area of Outstanding Natural Beauty).
- 2.14. **Heritage** – There are no listed buildings located on the site. To the south east, at a distance of c. 80m is the Grade II listed Crudwell House. As illustrated on the map extract below, the subject site partially lies inside the designated Crudwell Conservation area (which in itself does not prohibit eligibility to utilise Class MA).



Figure 8: Designated Conservation Area (source: wiltshire.gov.uk)

- 2.15. **Environmental** – Having reviewed the Environment Agency flood map, the site is located in designated ‘Flood Zone 1’. This area is considered to have the lowest probability of flooding i.e. Land having a less than 1 in 1,000 year probability of river or sea flooding. In addition, surface water flood mapping has been reviewed and the site is not within a designated area.
- 2.16. **Public Rights of Way** – There are no public rights of way to cross, or are located in direct proximity of the subject site.
- 2.17. **Ecological** – There are no known ecological constraints in close proximity to the subject site. The nearest SSSI, Cloatley Manor Farm Meadows is located over c. 3 km south east of the site.

3. THE PROPOSED DEVELOPMENT

- 3.1. The development for which prior approval is sought is the change of use of the application building and land within its existing commercial curtilage to one dwellinghouse. The dwelling would be arranged wholly at ground-floor level and would provide a coherent two-bedroom home.

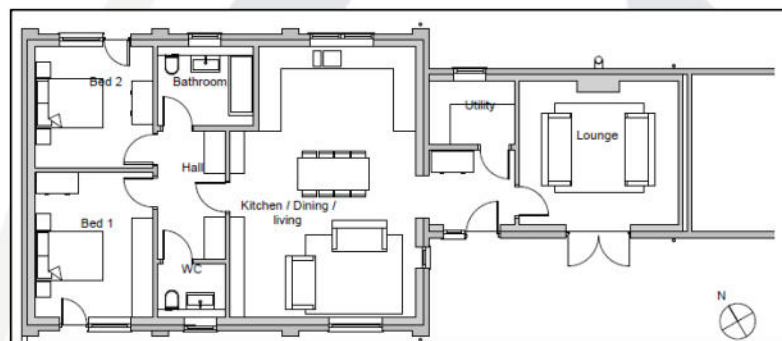


Figure 9: Proposed floor plan

- 3.2. The curtilage included with the Class MA application should follow land that is demonstrably part and parcel of, and serves, the qualifying commercial building. In this respect, it is important to take reference from the approved site plan submitted with the application N/05/00138/COU, an extract of which is included below for ease of reference;



Figure 10: Approved site plan.. planning ref: 05/00138

- 3.3. Accordingly, the proposed site for this application includes the immediately associated yard, access, parking and turning areas shown on the application plans. It does not rely upon adjoining agricultural land or an unrelated paddock.

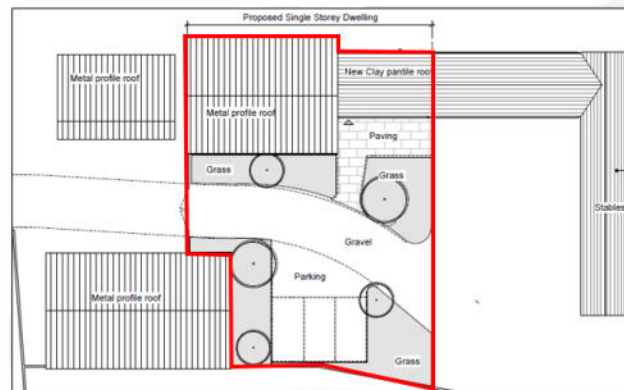


Figure 11: Proposed site plan

- 3.4. Class MA does not authorise operational development. The replacement roof covering, new and altered doors and windows, flue, rainwater goods and physical landscaping shown on the proposed plans are illustrative of the intended residential conversion and will require separate permission where they constitute development. The Class MA decision should therefore concern only the change of use and the defined prior approval matters.

4. LEGISLATIVE CONTEXT – CLASS MA

- 4.1. Class MA permits development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E of the Use Classes Order to a use falling within Class C3. Amendments effective from 5 March 2024 removed the former requirement for three months' vacancy and the former 1,500 square metre floorspace limit.
- 4.2. Importantly, as confirmed in recent decision notices, the scope of assessment is limited strictly to the matters set out within Class MA rather than wider development plan policy considerations.
- 4.3. There are a series of requirements that must be met in order for a change of use to fall within Class MA. A prior notification is required to confirm the proposal falls within the relevant legislative requirements. These are set out at Class MA.1 and in table 1 below:

'MA. 1 Development is not permitted by Class MA —

RESTRICTION	ASSESSMENT
(a) <i>N/A</i>	<i>No longer required from the 5th of March 2024.</i>
(b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;	As highlighted in the planning history section, the site has a B1 use for a continuous period in excess of the specified 2-year period.
(c) <i>N/A</i>	<i>No longer required from the 5th of March 2024.</i>
(d) if land covered by, or within the curtilage of, the building— (i) is or forms part of a site of special scientific interest; (ii) is or forms part of a listed building or land within its curtilage; (iii) is or forms part of a scheduled monument or land within its curtilage; (iv) is or forms part of a safety hazard area; or (v) is or forms part of a military explosives storage area;	See section 2 above, the site is not, and does not form part of a SSSI, the curtilage of a designated heritage asset, a safety hazard area, or a military explosives storage area.
(e) if the building is within— (i) an area of outstanding natural beauty; (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981; (iii) the Broads; (iv) a National Park; or (v) a World Heritage Site,;	The site is not, nor does it form part of any areas outlined in criterion (e).
(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or	The site is not occupied under an agricultural tenancy.
(g) before 1 August 2022, if— (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.	No action has been taken to convert the site to residential until after August 2022, so the adjacent criteria does not apply.

CONDITIONS

- 4.4. In addition to meeting the above, there are also a series of conditions which apply to class MA, which are set out in detail at Class MA.2 (1). This section of legislation states that:

“Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

TRANSPORT IMPACTS AND SAFE ACCESS

- 4.5. The proposal is for one, 2 bed dwelling, which would utilise the existing yard and established northern access on/ off the A429 (in accordance with N/05/00138/COU). It would generate vehicular movements of a more commensurate nature to the predominantly residential characteristic of the immediate area adjacent to the site.
- 4.6. Adequate on-site parking (for three cars) and turning space is provided, enabling vehicular users to enter and leave the site in a forward gear (as illustrated on the proposed site plan).
- 4.7. Crudwell is served by 2 daily bus services; no. 93 (Malmesbury - Charlton - Crudwell - Somerford Keynes - Cirencester) and C62 (Yate - Malmesbury - Cirencester College). The bus stop is located opposite the post office at a distance of under 500m from the subject site.
- 4.8. On this basis, there is no reason to conclude that the proposal would result in ‘severe’ unacceptable impact on highway safety (para TR6. 4 of the NPPF)

CONTAMINATION RISKS

- 4.9. The site has been in a low-key B1 business use with no evidence of contaminative industrial activity.
- 4.10. The building has a fully unbroken, concreted floor which mitigates the possibility of contamination. Although should unexpected contamination be encountered during conversion works, it can be investigated and remediated through an appropriately worded condition.

FLOODING RISKS

- 4.11. Having reviewed the EA flood map the dwelling would not be exposed to unacceptable flooding risk and would not displace floodwater or increase risk elsewhere.
- 4.12. There is no evidence of surface water flooding constraints.

NOISE FROM COMMERCIAL PREMISES

- 4.13. The existing commercial use on-site is low impact and materially different from a general industrial or distribution estate. The relocation of this use to the north (by a distance of c. 70m) will not cause an inherent noise conflict that would make residential use unacceptable.

CHARACTER & SUSTAINABILITY OF CRUDWELL CONSERVATION AREA

- 4.14. The subject building falls partially within the Crudwell Conservation Area, and the proposals seek to change the use of the ground floor. Paragraph MA.2(2)(e) therefore requires the Council to consider the impact of the change of use on the character or sustainability of the conservation area.
- 4.15. The existing building is functional rather than architecturally elaborate. It forms part of the established rural farm group and makes a modest contextual contribution to the character of the conservation area through its scale, form and relationship with the adjoining buildings. The proposed change of use would retain and beneficially reuse the existing building and would not, in itself, alter the building's scale, massing or rural grouping. Therefore, any significance attributed to the existing building through its physical form, rural context and relationship with adjoining buildings is maintained.
- 4.16. The residential curtilage is drawn tightly around the building and established yard rather than extending into adjoining countryside. Parking remains within the yard, as per the established commercial consent.
- 4.17. Thus, it is considered the proposed use would preserve the character of the conservation area and would support the long-term maintenance of an existing building.

ADEQUATE NATURAL LIGHT & SPACE STANDARDS

- 4.18. The proposed plans demonstrate a physically deliverable arrangement in which every habitable room would receive adequate natural light.
- 4.19. In addition, the Government have stated '*To ensure the quality of future homes delivered, all new homes must, as a minimum, meet the Nationally Described Space Standards*'
- 4.20. As a proposed single storey, 2 bedroomed property able to accommodate 4 people 70 sqm is the Nationally Described Space Standard for the minimum gross internal floor area. This is comfortably met by the 110 sqm GIA of the proposals, as is the stated 2 sqm of built in storage.

INDUSTRIAL AND STORAGE AREA IMPACTS

- 4.21. The site comprises of an established former farm complex rather than an area identified as important for general or heavy industry, waste management, storage and distribution, or a mix of those uses. The introduction of one dwelling would not prejudice the operation of a strategic employment or industrial area. Paragraph MA.2(2)(g) is not engaged in any substantive adverse sense.

LOSS OF NURSERY OR HEALTH SERVICE

- 4.22. The authorised use on-site is B1 and subsequent Class E business use. The development does not involve the loss of a registered nursery or a health centre maintained under the National Health Service Act 2006. Paragraph MA.2(2)(h) does not arise.

FIRE SAFETY

- 4.23. The proposals concern the conversion of a single-storey building to one dwellinghouse. It does not meet the Class MA fire risk condition, which relates to buildings containing two or more dwellinghouses and satisfying the relevant height condition. Fire safety under paragraph MA.2(2)(i) is therefore not a prior approval matter. Building Regulations approval will nevertheless be required for the conversion.

OTHER STATUTORY CONSIDERATIONS

- 4.24. The Class MA right remains subject to the Conservation of Habitats and Species Regulations 2017. As such a Preliminary Ecological Appraisal (PEA) and Bat Risk Assessment (BRA) has been undertaken across the site.
- 4.25. The associated report is submitted in full with this application and its contents will not be duplicated here but it concludes;

“The target buildings are deemed to be of limited/negligible/low potential for roosting bats at this current time due to variety of reasons but primarily the lack of recent signs of bats plus extensive ambient light, and as such, no further surveys will be required for the Crudwell Court Farm site.”

5. CONCLUSION

- 5.1. The application building benefits from an implemented permission for B1 business use under N/05/00138/COU. That former B1 use now falls within Class E(g), and consequently the building has a qualifying commercial planning use for Class MA. The 2005 permission does not contain a condition excluding the relevant permitted development right.
- 5.2. The proposal is for a modest, two-bedroom dwelling within the existing building and its established curtilage. It would utilise the existing access and yard, provide adequate parking and natural light, avoid conflict with an important

industrial area or protected service, and retain the compact form of the farm group. The change of use would preserve the character and sustainability of the Crudwell Conservation Area.

- 5.3. The limitations in paragraph MA.1 are satisfied and none of the matters in paragraph MA.2 provides a reason to withhold prior approval. Wiltshire Council is therefore respectfully requested to grant prior approval for the change of use from Class E to one dwellinghouse under Class MA.

Yours sincerely



Rob Jones-Davies
Encs.

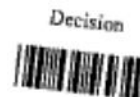
Appendix 1 – 05/00138/COU Decision notice

APPLICATION REFERENCE NO: 05/00138/COU

THE SCHEDULE

Name of Local Planning Authority: NORTH WILTSHIRE DISTRICT COUNCIL
Monkton Park, Chippenham, Wiltshire, SN15 1ER

NAME & ADDRESS OF AGENT: NAME & ADDRESS OF APPLICANT: Mr A R Thornton Crudwell Court Farm Crudwell Malmesbury Wiltshire SN16 9EW	BRIEF DETAILS OF APPLICATION IN THE PARISH OF Crudwell: Change Use of Agricultural Buildings to B1 (Business) Use LOCATION: Crudwell Court Farm Crudwell Malmesbury Wiltshire SN16 9EW
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Application Dated: 20.01.2005 Application Registered: 20.01.2005
 Permission Granted: 14.03.2005

PERMISSION GRANTED FOR THE FOLLOWING REASON:

In the context of guidance contained in PPS7, the proposed business can reasonably be regarded as a farm diversification scheme. The proposal is considered to comply with the provisions of Policy RE20 of the adopted North Wiltshire Local Plan (2001).

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

 Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the documents (including plans) incorporated into this decision, and subsequently approved pursuant to this decision (if applicable), unless otherwise approved in writing by the local planning authority.

 Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity.
3. Prior to the commencement of the use hereby approved details of any proposed alteration to the elevational treatments of the buildings, including any new window and door openings, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

 Reason: In the interests of visual amenity and for the avoidance of doubt.

APPLICATION REFERENCE NO: 05/00138/COU

4. Access to the buildings for the purposes of the proposed business use hereby approved shall be via the northern point of access onto the A429 only. At no time shall any traffic associated with the business be allowed to make use of the southern access.

Reason: In the interests of highway safety

5. Prior to the commencement of development a scheme for the parking of five vehicles shall have been submitted to and approved in writing by the Local Planning Authority. The parking and manoeuvring space identified shall be surfaced in accordance with details, which shall also have been submitted to and approved prior to the commencement of the use hereby approved. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety.

6. There shall be no retail sales from the buildings to which this permission relates other than those sales made in connection with the play equipment manufactured on the site.

Reason: The site is in the countryside where the Local Planning Authority will not normally permit unrestricted retailing in the interests of the rural character of the area and in the interests of encouraging a sustainable form of development.



Implementation Team Leader
Development Control, Listed Buildings & Landscaping

Date: 14th March 2005
