



**SUPPORTING STATEMENT IN RESPECT OF A
PRIOR APPROVAL FOR THE CHANGE OF USE FROM AN AGRICULTURAL BUILDING
TO A SINGLE DWELLING INCLUDING ASSOCIATED BUILDING OPERATIONS UNDER
CLASS Q OF THE
GENERAL PERMITTED DEVELOPMENT ORDER**

AT

**WILLOWS FARM
SUTTON ON THE HILL
ASHBOURNE
DERBYSHIRE
DE6 5JF**

ON BEHALF OF

MR S & MRS S ARCHER

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1.0 INTRODUCTION

- This document has been produced to support an application to South Derbyshire District Council and has been submitted in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 Number 596.
- Class Q (a) of the above Order grants permitted development rights for the change of use of agricultural buildings, and any land within their curtilage, to dwellinghouses falling within Class C3 of the Use Classes Order. Class Q (b) allows any building operations reasonably necessary to facilitate this change of use
- Class Q (a) requires that for proposals relating to the change of use of an agricultural building and its curtilage to a dwelling house, a determination should be made as to whether the Prior Approval of the Local Planning Authority will be required regarding:
 - Transport and Highways impact of the development
 - Noise impact of the development
 - Flood risk on the site or
 - Whether the location or siting of the building makes its otherwise impractical or undesirable to change from agricultural use to a dwelling house.
- Prior Approval for the building operations necessary to convert the building to a dwelling are also requested by the Local Planning Authority.

2.0 THE SITE AND AGRICULTURAL UNIT

- Willows Farm is a small working farm with a range of traditional and modern agricultural buildings. The agricultural land is located in a ring fence around the farm buildings and extends to 40.39 acres (16.348 hectares).
- An agricultural business is operated from the holding comprising a beef and sheep enterprise under Holding Number 09 052 0036.
- The subject building is of brick and tile construction and has previously been associated with the operation of the farm business at Willows Farm.
- The building is two-storey and has been used for agricultural storage in recent years however is now largely redundant.
- Although it is unknown when the subject building was erected, it is most definitely prior to the 20th March 2013.
- Access to the building is gained through the main farm entrance which also serves the existing farmhouse.
- Modern agricultural practices mean that this building is no longer required as part of the farming operations and, therefore, a change of use under the above legislation is sort.
- It is proposed that the footprint of the building outlined on the submitted plans is converted to create a single dwelling. Full existing and proposed elevations, floor and block plan have been submitted.
- The building would be accessed through the existing entrance onto the public highway.

3.0 PROPOSED DEVELOPMENT

- It is proposed to convert the building into a one-bedroomed property.
- The floorspace of the building and the proposed dwelling falls comfortably beneath the 465m² maximum allowed by Class Q.
- The proposed site plan demonstrates that the curtilage of the dwellings is smaller than the footprint of the existing agricultural building.
- There have been no previous dwellings on the agricultural unit formed under Class Q permitted development rights.
- The site is not occupied under an agricultural tenancy and is not affected by any of the constraints identified in criteria (j) to (m) of Paragraph Q.1.
- The building is in good condition, and is sufficiently strong and sound to take the loadings associated with the proposed alterations.
- No structural interventions are therefore required or proposed in this instance.
- Replacement windows and doors have been carefully designed and positioned to retain as much of the building's agricultural character as possible.
- The proposed alterations do not constitute rebuilding and are therefore permitted by Class Q(b).
- The proposals therefore satisfy all relevant criteria contained within Paragraph Q.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The proposals therefore constitute permitted development.

4.0 ASSESSMENT AGAINST CRITERIA IN CLASS Q (A) PARAGRAPH Q.2 (1) OF THE GPDO

Transport and Highways Impact

- The existing farm access onto the public highway currently serves the subject building, farmhouse and farm operations.

Noise Impact

- The proximity of other residential properties do not create any undesirable or impractical implications.

Contamination Risk

- It is not anticipated that there are any contamination issues related to the application site.

Flood Risk on the Site

- The applicant does not envisage any flooding problems with the site.

Location and Siting of the Building

- It is widely acknowledged that agricultural buildings across the country will not usually be located in or immediately adjacent to existing settlements and, therefore, rarely meet the normal location sustainability tests.
- This is acknowledged by Paragraph 108 of the National Planning Practice Guidance which states *“the Permitted Development Right does not apply a test in relation to sustainability of a 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 to a house”*.
- The guidance goes on to state *“The Local Planning Authority should apply a reasonable ordinary dictionary meaning in making any judgement. Impractical reflects that the location and siting would “not be sensible or realistic” and undesirable reflects that it would be “harmful or objectionable”*.

- *When considering whether it is appropriate for the change of use to take place in a particular location, the Planning Authority should start from the premise that the Permitted Development Rights grants planning permission subject to the prior approval requirements. That an agricultural building is in a location where the Local Planning Authority would not normally grant planning permission for a new dwelling is not a sufficient reason for reviews in Prior Approval.*
- *When a Local Authority considers location and siting it should not, therefore, be applying test for the National Planning Policy Framework except to the extent that these are relevant to the subject matter of the Prior Approval”.*
- The building is sited in a rural location where the local planning authority would not generally grant permission for a new dwelling. However, Paragraphs 108 and 109 of the National Planning Practice Guidance make it clear that this is not sufficient justification to refuse an application for prior approval.
- The building has access to a water supply) and electricity and is not in a location inherently unsuitable for residential use.
- It is therefore concluded that the location and siting of the building does not make it impractical or undesirable for the proposed change from agricultural to residential use.

5.0 ASSESSMENT AGAINST CRITERIA IN A CLASS Q (B)

- The building operations which are permitted under Class Q Part B include:
 - ✓ *the installation or replacement of Windows, Doors, Roofs or Exterior Walls.*
 - ✓ *Installation of Water, Drainage, Electricity, Gas or other services to the extent reasonably necessary for the building to function as a dwelling house.*
 - ✓ *Partial demolition to the extent reasonably necessary to carry out the building operations allowed by Paragraph Q.1.*
- The proposal is compliant with the above building operations and is not a Listed building or part of any designated site.
- The building is enclosed by a curtilage which is proposed to form the residential garden to the property.
- Overall, the building is of substantial construction and can be easily converted into a residential dwelling with the above building operations completed.

6.0 CONCLUSION

- The building forms part of an established agricultural holding. Its agricultural use pre-dates 20th March 2013 and it has not been put to any alternative use since. The building is in good condition and can be adapted to residential use without necessitating significant alterations. The proposals therefore satisfy all relevant criteria set out in Q.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- The proposals would not detrimentally affect the safe or efficient use of the highway network, and would not be at risk from flooding or contamination that precludes residential re-use. The building lies in a quiet rural area and the future occupiers of the proposed dwelling would not be susceptible to unacceptable noise or disturbance.
- The building is not in a location where residential use is impractical or undesirable.
- The building is of traditional construction and no longer required for agricultural purposes. The only viable use is to convert the unit into residential use.
- The building is of substantial construction and, therefore, lends itself to conversion into a residential use.
- The proposals therefore constitute development permitted by Schedule 1, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.