

Nick Hiscox (agent)
Grove Shute Farm, Tadhill, Leigh Upon Mendip, Radstock, BA3 5QT

Planning Statement
Southill Farm, Cranmore, Shepton Mallet, BA4 4QT

Two previous applications have been submitted at the site, firstly 2020/1238/PAA was an application made under Class Q (a) – **change of use not including building operations** applicable to Class Q (b), this application was refused August 14th 2020 as follows;

The proposed change of use would require extensive building operations and no evidence has been submitted which would suggest that the conversion can be carried out with only internal works, and/or works that are considered to be permitted under the Regulations. It is clear that the change of use to form a residential dwelling would necessitate significant building operations both internally and externally to enable the building to function as a dwellinghouse. Without the necessary information to conclude that the works required to be undertaken to the building would be in accordance with Class Q(b) the proposal is contrary to Class Q, Part 3 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) and therefore, planning permission is required.

A further application was submitted under 2020/2241/PAA under Class Q (a) – **change of use not including building operations** applicable to Class Q (b) and subsequently refused December 20th 2020 as follows;

The proposed change of use would require extensive building operations that go beyond what can be considered a conversion, and the applicant has failed to adequately demonstrate that the conversion can be carried out with only internal works, and/or works that are considered to be permitted under the Regulations. The proposal is contrary to Class Q, Part 3 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) and therefore, planning permission is required.

To summarise the above refusals; despite both applications being made under Class Q (a), both were refused for matters related to building operations relevant to Class Q (b) despite the applications clearly not being made under Class Q (b).

This application is a carbon copy submission of application 2020/2241/PAA; however it is submitted with further supporting evidence of Appeal Ref APP/Q3305/W/20/3259921 Norwood Cow Barn, Norwood Farm, Bath Road, Norton St Philip, Somerset, BA2 7LP. This appeal directly deals with a refusal for matters related to Class Q (b) “building operations” despite the application being made under Class Q (a) “change of use”. The appeal property is within the area covered by the Mendip Planning Authority.

In his report, the inspector makes the following determination;

“In refusing prior approval the Council expressed concerns that the proposal would require extensive building operations and has argued that there is insufficient information to conclude that the works could be undertaken in accordance with Class Q(b). However, this was an application under Class Q(a) only. In applications of this type, no building or other operations are proposed.”

He then goes on to state (the council) *“has alleged conflict with Class Q(b), which includes building operations reasonably necessary to convert a building. This is not what had been applied for. As the provisions of Class Q(a) are satisfied prior approval should not be withheld.”*

This appeal decision clearly guides the Council that refusing applications made under Class Q (a) for matters associated with “building operations” is not valid and such decisions can be challenged and will be allowed on appeal.

As both previous applications have only been refused on grounds of “building” operations, this application can be approved.