

30th March 2021

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Our Ref: 501447

Dear Sirs

PRIOR NOTIFICATION FOR THE CHANGE OF USE OF TWO AGRICULTURAL BARN TO THREE DWELLINGS AT BROADFIELD FARM, MORETON VALENCE GL2 7NH

Please find enclosed a prior notification application prepared by Ridge and Partners LLP on behalf of our client, Mr Hearne for the change of use of two agricultural barn to three residential dwellings at Broadfield Farm, Moreton Valence, GL2 7NH.

This application has been made in accordance with Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The following documents accompany this application:

- Site location plan
- Existing floorplan and elevations
- Proposed floorplans and elevations

The relevant planning fee of £206.00 will be forwarded by the client.

SITE AND SURROUNDINGS

The two barns hereafter known as the pole barn and the portal frame barn are located within Broadfield Farm, a farmstead that contains several modern barns. These barns are no longer in agricultural use however were last used for agriculture. A residential dwelling also forms part of the original farmstead and is located to the west of the subject barns.

The Farm is surrounded by agricultural land to the north, east and west, whilst industrial land is located towards the south. The A38 forms the western boundary of the site.

The site benefits from two forms of vehicular access, both of which are via the A38.

Broadfield Farm is located approximately 2.5 km to the south west of Quedgeley, 5 km to the north west of Stonehouse, 15.5 km to the north west of Dursley and 10.5 km to the south west of Gloucester, all of which

provide a range of services and facilities. The smaller settlement of Putloe is located approximately 1 km to the south west, whilst Haresfield is located approximately 2 km to the north east.

A bus stop is located approximately 100 metres from the site which has a regular and frequent service linking the site with Dursley, Quedgeley and the centre of Gloucester.

The site does not contain any statutory landscape or historic designations. The site is within Flood Zone 1 according to the Environment Agency's mapping service and is at the lower risk of flooding.

Planning History

The following planning history is of relevance to the site;

Ref. No:S.11/1963/HHOLD - Installation of solar panels to the existing shed roof.
Status: Permitted 27/1/2012

Ref. No:S.08/0555/FUL Erection of a cattle market and ancillary facilities to include produce hall, cafe and associated parking/access.
Status: Application Withdrawn 3/12/2008

Ref. No:S.07/0819/FUL Erection of a cattle market.
Status: Application Withdrawn 14/6/2007

Ref. No:00/1055: Use of land for storage of caravans on existing hard standing area.
Status: Application Approved 12/09/2000

Ref. No:00/178 Erection of three polytunnels for horticultural use and widening of existing driveway.
Status: Application Approved 11/07/2000

Ref. No:99/1640 Demolition of existing former dairy and construction of an extension. Revised plans received 15 February 2000.
Status: Application Approved 11/04/2000

Ref. No:99/1641 Demolition of existing former dairy, WC and store and erection of a dependant persons annexe. Revised plans received 20 December 1999.
Status: Application Approved 11/04/2000

Relevant Legislation

Schedule 2, Part 3, Class Q of the Town and Country (General Permitted Development) Order 2015 allows for the change of use of a building and any land within its curtilage from a use as an agricultural building, to a use falling within Class C3 (dwelling house) under a prior notification process.

This also extends to building operations reasonably necessary to convert the building. There are a series of requirements that must be met in order for a change of use to fall within Class Q. A prior notification is required to confirm the proposal falls within the relevant legislative requirements. These are set out at Class Q 1 below;

'Q. 1 Development is not permitted by Class Q if—

(a) the site was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 20th March 2013, or

(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) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

(b) in the case of—

(i) a larger dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or

(bb) the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres;

(ba) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 465 square metres;]

(c) in the case of—

(i) a smaller dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate smaller dwellinghouses developed under Class Q exceeds 5; or

(bb) the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 100 square metres;

(d) the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following—

(i) a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

(ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;

(e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

(f) less than 1 year before the date development begins—

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q,

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

(g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—

(i) since 20th March 2013; or

(ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

(i) the development under Class Q(b) would consist of building operations other than—

(i) the installation or replacement of—

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services,

to the extent reasonably necessary for the building to function as a dwellinghouse; and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);

(j) the site is on article 2(3) land;

(k) the site is, or forms part of—

(i) a site of special scientific interest;

(ii) a safety hazard area;

(iii) a military explosives storage area;

(l) the site is, or contains, a scheduled monument; or

(m) the building is a listed building.

In addition to meeting all the above, there are also a series of conditions which apply to Class Q, which are set out in detail at Class Q.2 (1).

This section of the legislation states that:

“Q.2-(1) where the development proposed is development under Class(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, 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-

a) Transport and highways impacts of the development,

(b) Noise impacts of the development,

(c) Contamination risks on the site,

(d) Flooding risks on the site,

(e) Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and

(f) The design or external appearance of the building, and

(g) the provision of adequate natural light in all habitable rooms of the dwellinghouses, and the provisions of Paragraph W (prior approval) of this Part apply in relation to that application.”

Matters for Consideration

The following considers the proposals in light of the relevant legislation as set out above.

- (a) The site was last in use solely for agricultural purposes;
- (b) The cumulative floor space of the existing buildings does not exceed 465 square metres;
- (c) and (d) No more than five dwellings are being proposed, and cumulatively these do not exceed 465 square metres of floor space;
- (e) The site is not occupied under an agricultural tenancy;
- (f) The site has not been in agricultural tenancy for less than a year;
- (g) No development under Class A(a) or Class B(b) of Part 6 of this Schedule has been carried out on the established agricultural unit since 20th March 2013;
- (h) The development would not result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;
- (h) The development under Class Q (together with any previous development under Class W) would not result in a building having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;
- (i) The development under Class Q(b) would not consist of building operations other than those listed within Q.1 part (i);
- (j) The site does not sit on article 2(3) land;
- (k) The site does form part of any of the items listed in Q.1 part (k);
- (l) The site is not, or contains, a scheduled monument; and
- (m) The building is not listed.

The proposed conversion meets the above criteria as specified in Class Q.1 of the Town and Country (General Permitted Development) Order 2015. Class Q.2 relates to additional elements which includes transport, noise, contamination, flooding, siting of building, and design of building. These matters will be discussed in turn in relation to the conversion below.

Transport and Highways

As above, the site is currently served by two forms of access, both off the A38. Visibility is good in both directions from both access points. The proposed use is not considered to result in any intensification of the access when compared to the existing use. As such the proposed residential use is not considered to create any transport or highways impacts.

Noise

The site sits on an existing farmstead that is currently out of operation, and adjacent to an existing residential dwelling. The existing occupiers of the dwelling and the future occupiers of the converted barns would not therefore be adversely affected by noise.

Contamination

It is considered that there are no issues relating to contamination on this site.

Flooding

The site sits within Flood Zone 1 and therefore is at the lowest risk of flooding.

Siting of the Building

The location and siting of the building ensures that the proposed change of use from agricultural use to a use falling within Class C3 is totally practical and desirable for the subject buildings. The site is located is well connected to larger settlements which provide a range of services and facilities.

Design or External Appearance of the Building

The design and external appearance proposed has utilised the external structure of the barn whilst respecting the existing form and materials. As such the proposed design ensures that the simple agricultural character of the barns has been retained.

Conclusion

This application seeks confirmation from the local planning authority's prior approval for the conversion of the following two barns to 3 dwellings under Class Q of the Town and Country Planning (General Permitted Development) Order 2015.

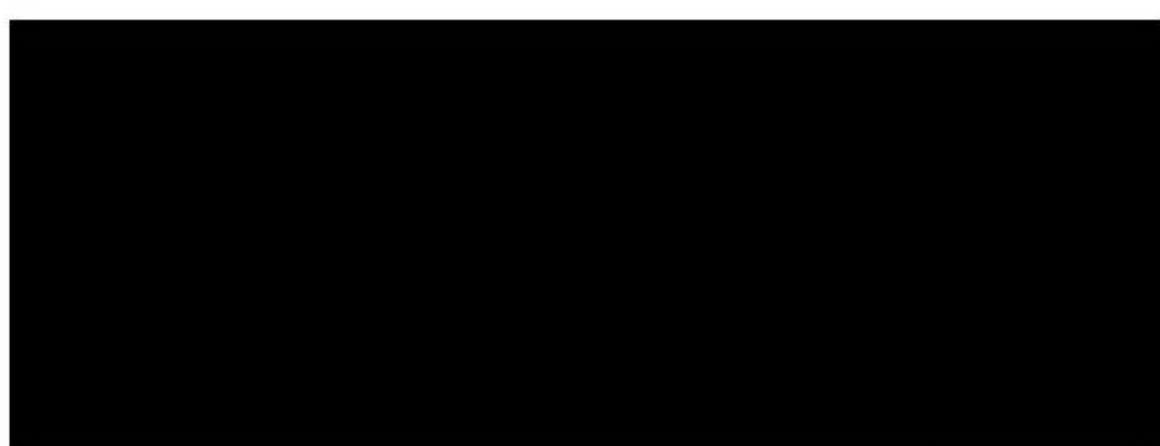
- Pole barn
- Portal Frame barn

This statement has set out the various requirements within the legalisation and confirmed that the proposal complies with each of those requirements.

It has been demonstrated within this statement that the proposed residential uses would be practical and desirable. As a result, this application meets the requirements of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015.

If you need any further information, please contact me using the contact details below.

Kind regards



Principal Planner
Ridge and Partners LLP.