



Mr M Holmes
Planning Department
Sevenoaks District Council
Argyle Road
Sevenoaks
Kent
TN13 1HG

Our Ref MB/12689

7th May 2021

Dear Mr Holmes,

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND)
ORDER 2015 (AS AMENDED)**

**APPLICATION UNDER CLASS Q FOR CHANGE OF USE OF A BUILDING AND ANY LAND
WITHIN ITS CURTILAGE FROM USE AS AN AGRICULTURAL BUILDING TO USE FALLING
WITHIN C3 (DWELLINGHOUSES) OF THE SCHEDULE OF THE USE CLASSES ORDER AND
BUILDING OPERATIONS REASONABLY NECESSARY TO CONVERT THE BUILDINGS**

WOODSIDE BARN, RECTORY ROAD, ASH, TN15 7EX

I am acting on behalf of our client, Mr S Barnard, in regard to a proposal to carry out permitted development provided by Part 3, Class Q(a) and (b) of the above Order. This follows a previous Prior Notification approval for the same development in November 2018 (reference 18/03336/PAC).

I am applying as per Q.2(1) for determination if prior approval of the authority will be required for the change of use of an agricultural building to one dwelling. This application essentially comprises a renewal of Prior Approval 18/03336/PAC and will allow the development to proceed and be completed within the prescribed three year period from approval.

Please find enclosed herewith an application form, scheme drawings. The statutory fee payment of £206.00 will follow separately.

Site Description

The application site is located to the west of Rectory Road, Ash. The site is situated approximately 2km to the south-east of New Ash Green and approximately 3km to the south-west of Meopham.

The wider site includes Woodside House and its residential curtilage. The dwelling sits centrally within the plot and lies adjacent to an agricultural field to the west and associated barn to the north, which is the subject of this application.

The barn is of brick construction, with a shallow asymmetric pitched roof. The roof is covered with corrugated fibre cement sheeting. A dwarf brick wall surrounds the yard to

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t. 01622 776226 **e.** info@dhaplanning.co.uk **w.** www.dhaplanning.co.uk
Maidstone Office, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN

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the front of the building (south). The building has a number of openings in its southern elevation, providing access for vehicles and personnel.



Figure 1: Site location (edged red – image courtesy of GoogleEarth)

The agricultural land that the building serves is located to the west of the site. The closest residential building is Woodside House, located to the immediate south of the application building. The area is generally characterised by sporadic residential development.

It is the case that the building is no longer required for its agricultural use and an alternative use is sought.

Proposed Development

The proposed development relates to the change of use and conversion of the agricultural building to provide 1no. residential unit. The proposals are consistent with the extant prior approval 18/03336/PAC.

Part 3, Class Q of the GPDO was last amended in 2020. This amendment does not materially affect this application and the conclusions previously reached by the Council in determining the last application. However, consideration of the regulations is undertaken below in respect of the newly updated legislation for completeness. In response to the minor updates to the regulations, the submitted plans have also been amended to include dimensions.

The application relates to an agricultural unit, where the building has been used for agricultural storage, however, the building is now surplus to requirements and therefore an alternative use for the building is sought. The building has not been subject to any alternative non-agricultural use since the building has been built.



The proposal would see the conversion of the existing agricultural building to provide a single larger dwellinghouse with 339sqm of floorspace. No smaller dwellinghouses are proposed and there have been no previous conversions under Class Q within the agricultural unit.

The residential unit to be provided on the application site does not exceed the limitations set out in Q.1(b), (ba), (c) or (d). Furthermore, the building does not have an agricultural tenancy in place, nor was one terminated within the last year.

It should be noted that no development within Class A(a) or Class B(a) of Part 6 of the Town and Country Planning (General Permitted Development)(Amendment and Consequential Provisions)(England) Order 2014 has been carried out within 10 years of the date of this application.

Furthermore, the development will be accommodated within the existing building and would not result in the external dimensions of the building extending beyond that of the existing building; whilst there have been no previous conversions of agricultural buildings to residential units on the site under permitted development rights provided by Class Q on the wider agricultural unit.

The building is of substantial construction and in good order, with no material change in its condition since the 2018 approval. The proposed development would see the introduction of windows to the building, along with the insulation and re-cladding of roof to ensure that the building is suitable for its purpose. The existing external envelope is of conventional cavity wall construction on trench fill strip foundation with steel frame supported on structural concrete pad foundations. Both the steel frame and the external envelope will be used to support the proposed first floor, as previously approved.

Lastly, the site is not located within an AONB or Conservation Area, and does not form part of a SSSI, safety hazard area or military explosives storage area. The site is not, and does not, contain a scheduled ancient monument or listed building.

In respect of application 18/03336/PAC, Officers concluded that "*the development could be permitted development, subject to compliance with the conditions in paragraph Q.2 of the Legislation*" and the same conclusion remains applicable.

Background Information

Set out below are statements in relation to issues which must be addressed as part of the prior-notification process.

Transport and Highways Impacts

The proposal is accessed from the driveway to serve Woodside House, which leads to Rectory Road. This access is presently used by agricultural traffic from the site as well as domestic traffic in relation to the existing dwelling. This access has good visibility onto Rectory Road.



The number of vehicle trips associated with the development will be minimal and would not materially increase the number of vehicle movements on the local road network. There will be no impact on safety and this number of trips will not be significant. This should be considered in the context of the site otherwise remaining in use for agricultural storage and the coming and going of agricultural vehicles.

The site is therefore suitably located in terms of transport. In consequence, the impacts on transport and highways will be acceptable and the previous application found no issue in this regard.

Noise

The nearest residential property to the proposal is located to the immediate south of the application building. It is the case that the application site is located within an existing residential setting and, therefore, there will be no issues with regards to noise from neighbouring sites. The previous application raised no objection in relation to noise, concluding that *"neither noise from the proposed use, or associated traffic, would be likely to have an impact beyond the immediate area"*.

Contamination

A contaminated land assessment accompanied the previous application and is submitted here again for completeness. It is a Phase 1 study and following a site visit and walkover, concludes that no further assessment work is required. As such, the application includes adequate information on this issue to allow a positive approval without the need for any further assessment work. No objections were raised to the previous application by the Environmental Health Officer.

Flood Risk

The Environment Agency Flood Risk Map indicates that the proposed site does not fall within either flood zone 3 or 2. The flood risk on the site is therefore minimal and no further assessment is required.

As regards to surface water run-off, the development will not involve increases in impermeable area and will not therefore increase run-off rates or volumes. The last application was considered acceptable in relation to drainage and flood risk.

Location and Siting

The location of the proposal is to the west of Rectory Road. It is the case that the site is situated within the Metropolitan Green Belt and adjacent to an area of ancient woodland. However, it should also be considered that the locality already contains a number of residential units and the proposal cannot be considered to be out of context in this respect. The proposal would, therefore, be no more intrusive in the countryside than the existing residential properties in the locality. In any event, the guidance produced by the Government states that, *"the permitted development right does not apply a test in relation to sustainability of 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.” Notwithstanding this, the site is considered to be in a suitable location a short distance from a number of larger settlements.

The site proposed does not fall within any Conservation Area or an Area of Outstanding Natural Beauty. The current building is very simple in its form utilising materials that are suited to conversion to residential purposes, albeit, the existing roof material does lend itself to its agricultural past. In any event, minimal work is required to the building to allow it to function as a dwelling. The conversion of the building to residential use, along with the improvements to the façade, will ensure that the building will be improved visually. This will ensure that the building sits comfortably within its setting and adjacent to other residential properties. The building is of substantial brick and blockwork construction.

It is concluded, therefore, that it is not impractical or undesirable for the building to change to a Class C3 use and this accords with the previous application which raised no objection in this regard and concluded that *“the site is readily accessible from the road network and has access to utility services. There are several settlements accessible from the site and so the site is well served by shops and services. The siting and location of the building does not make it undesirable or impractical for the change of use”*.

Design

The proposed design remains as previously approved. Officers previously concluded that *“the design and appearance of the dwelling as proposed is acceptable. The site is not significantly visible from the surrounding area and the area is not sensitive to the changes proposed”*.

Natural Light

Since the 2018 approval, the GPDO has been updated to require an assessment of whether the dwelling(s) would be provided with adequate natural light in all habitable rooms. As the submitted plans indicate, all habitable rooms will be served by generous windows and will benefit from direct natural light to a more than adequate level.

Part B -Description of Development and Design Class Q(b)

As required by Part Q.2 (2), Class Q (b) development is subject to paragraph W of The Town and Country Planning (General Permitted Development) (England) Order 2015. Paragraph W requires a description of development, the design and the developer’s contact information.

Description of Development

The description of development for the proposed prior approval application is outlined below.



'The change of use and conversion of an agricultural building and land within its curtilage to provide 1 dwellinghouse falling within Class C3'

The works will include the provision of water, electricity and phoneline/data connections from the highway where they currently exist and serve the adjacent existing dwelling. The site is already served by an existing soakaway, marked on the plans and a new treatment plant is also to be provided a suitable distance from the dwelling, as included within the application site boundary.

Curtilage

The curtilage around the building within the meaning set out in Class X(b) of The Town and Country Planning (General Permitted Development) (England) Order 2015 comprises the private garden and totals 246m² (equivalent to the building footprint) and thus within the limitation set out at paragraph X, Part 3. This is illustrated on the accompanying plans.

Building Design and Siting

The building is to be designed as illustrated in the drawings submitted with this application. The existing site layout and elevations are provided with this application. The design is to be sustainable and of good quality. The exterior design is to be brick, as existing, which will be in-keeping with the neighbouring dwelling. It is held that the proposed alterations will provide an improvement to the present appearance of the building. Several new exterior changes are also proposed, providing doors and windows. These are within the limits set out in the Order.

The proposal is sited sufficient distance from other residential properties to not have an impact on privacy or overlooking of the neighbouring dwelling. The result is that the proposal is in a good location as the impact on the surrounding landscape will be minimal.

The building will be suitably serviced with necessary foul and surface water drainage provided as illustrated on the accompanying plans.

Supporting Information

As required within the provisions of the Order please find set out below the contact details of the developer:

Mr S Barnard
Woodside House
Rectory Road
Ash
TN15 7EX

Emails can be sent to the developer via this office.



Conclusion

We consider the proposal is in line with the permitted development rights outlined The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Minor changes to the GPDO made since the 2018 approval do not alter the conclusions previously reached that prior approval is not required. We therefore trust that this application does not require any additional prior approval and is confirmed as Class Q permitted development as before.

I trust the above and enclosed information is sufficient, but please do not hesitate to contact me if you have any queries or require any additional information.

Yours sincerely,



Matthew Blythin
Director

Encs.

Cc. Mr S Barnard