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AGRICULTURAL PLANNING, DESIGN & PROJECT MANAGEMENT

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PLANNING STATEMENT: Dated 2nd May 2021

Applicants: Mr & Mrs Dan Britten, Britten Farming, Green Farm, Downhead, Shepton Mallet, Somerset, BA4 4LQ

Application: Change of Use of an existing agricultural building to a dwelling under Class Q (a and b)

Location: Land to the west of Slait Hill (nearest postcode BA4 4LQ), at grid reference ST 368579 145772

Preamble:

Class Q of Statutory Instrument 2015 No. 596, states that:

“Q. Development consisting of;

- (a) a 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 houses) of the Schedule to the Uses Classes Order; and
- (b) building operations reasonably necessary to convert the building to in paragraph (a) to a falling within class C3 (dwelling houses) of that Schedule.”

Is considered permitted development. However, development is not permitted if it does not meet the following conditions below.

In order to show that the above scheme complies with the Permitted Development requirements each one is assessed against the proposal.

Development not permitted:

Q.1 Development is not permitted by Class Q if ~

- (a) the site was not solely used for an agricultural use as part of an established agricultural unit -
 - (i) on the 20th March 2013
 - (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;

The Building was part of an established existing agricultural business/holding and has been use for agricultural purpose.

(b) in the case of ~

- (i) a larger dwelling house, within an established agricultural unit -
 - (aa) the cumulative number of separate larger dwelling houses developed under Class Q exceeds 3; or
 - (bb) the cumulative floor space of the existing building or buildings changing use to a larger dwelling house or dwelling houses under Class Q exceeds 465 sq. metres;

The existing floor space changing will be 125.13 sq. metres complying with condition (bb).

(c) in the case of ~

(i) a smaller dwelling house, within an established agricultural unit -

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

(bb) the floor space of any one separate smaller dwelling house having a use falling within Class 3 (dwelling houses) of the Schedule to the Use Classes Order exceeds 100 sq. 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 dwelling house or larger dwelling houses having more than 465 sq. metres of floor space having a use falling within Class 3 (dwelling houses) of the Schedule to the Use Classes Order;

(ii) the cumulative number of separate dwelling houses having a use falling within Class 3 (dwelling houses) of the Schedule to the Use Classes Order exceeding 5;

There will be one small dwelling of 125.13 sq. metres therefore complying with conditions (c) and (d).

(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;

Conditions (e) and (f) are not applicable to this application.

(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 the 20th March 2013; or

(ii) where the development under Class Q begins after 20th March 2013, during the period was 10 years before the date development under Class Q begins;

No Development under Class A(a) or B (a) has been carried out on the holding since 20th March 2013.

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

The proposed development sits within the constraints of the existing structure and external cladding.

The existing structure consists of a steel framed building. The external walls are metal sheeting. The existing roof structure is metal with metal roof sheeting. New window and door openings are to be created as shown on the submitted drawings.

(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.

Conditions j to m are not applicable to the proposal.

Q.2 - (1) Where the development proposed is development under Class Q (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 will be required as to ~ (a) Transport and Highways impact on the development,

The site access leads on to a local authority highway. The access/egress point is considered sufficiently wide and that there are safe visibility sight lines in both directions. The impact of a single residential unit is not likely to give rise to unacceptable levels of traffic and would not result in an unacceptable level of movements in this location.

(b) Noise Impacts of the development

The site having no immediate neighbouring properties, either agricultural steadings or residential or industrial, will not be unduly affected by noise.

(c) Contamination risks on site,

The building has been used for agricultural purposes and it is considered that there are no significant risks from contamination.

(d) Flooding risks on the site,

The site is within a Flood Zone 1 and therefore there are no risks from flooding.

(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 (dwelling houses) of the Schedule to the Use Classes Order,

Following the revision of the new Planning Policy Guidance (paragraph 105) from the government in February 2018, the proposal needs to be assessed with the new guidance in mind, The works required to facilitate the dwelling can be carried out within the scope of the permitted development rights and the guidance set out in the NPPG.

The existing building is sufficient to cope with any additional work required as part of the conversion work, as shown within the submitted Structural Report & Cladding Condition Report and therefore the proposal is not considered to be impractical or undesirable.

The works required do not involve major alterations, the design of the building will remain unchanged.

(f) the design or external appearance of the building, and the provisions of paragraph W (prior approval) of this Part apply in relation to application.

SCHEDULE OF WORKS

See separate document for the details of the structural integrity of the building and the details for the construction of works.