

Proposed replacement of a building with a dwelling following prior approval

AT

Gunns Farm
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1 INTRODUCTION

This report has been prepared on behalf of Mr and Mrs Francis, of Gunns Farm.

The report has been written with the intention of outlining the facts considered relevant to the application for a dwelling at Gunns Farm, following the granting of a similar scheme under Class Q permitted development rights DC/21/03216.

Information within this report should enable the Local Authority to assess the application in the light of the current Government guidelines, contained within the National Planning Policy Framework.

2 BASIS OF ASSESSMENT

A site visit was held with the applicants when they were interviewed and building inspected.

This report is based on the information as supplied during the site visit.

3 PLANNING POLICY BACKGROUND

Class Q of the General Permitted Development (England) Order allows for;

- a) 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) of the Schedule to the Use Classes Order; or
- b) development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwelling house) of that Schedule.

The building works permitted under Class Q are outlined in the Planning Practice Guidance at Paragraph 105 as follows;

“Building works are allowed under the right permitted agricultural buildings to change to residential use, however the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial

demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.

Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q.”

The proposals were put forward to further enhance the Government’s key objective of supporting economic growth. The proposals strongly support key Government priorities for making better use of existing buildings, supporting the high street and rural communities and providing new housing.

The permitted development makes a strong contribution towards the provision of new homes, reducing some of the pressure for new green field development and allowing under-utilised buildings to be brought back into productive use.

DC/21/03216 has therefore granted prior approval for the change of use of the barn at the site to a dwelling.

The High Court case of Mansell V Tonbridge, a copy of which is submitted with the application, has established the principle of the “fall-back” position. This is essentially based on the fact that dwellings are permitted on the site already, and so any subsequent application should not consider the appropriateness of dwellings.

In addition to the above the re-use of buildings is supported by national planning policy -

80. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

4 THE SITE AND BUILDING

The buildings is agricultural in nature, but are sound and have been found capable of conversion as per the Class Q consent.

As there is an extant consent for a dwelling on the site as per the Class Q then the site is considered to be suitable for such as use.

5 THE PROPOSAL

The proposal is to replace the existing building to site a dwelling as per the submitted scheme.

The proposal is only for minor changes as shown on the submitted plans, albeit allowing for full replacement. This is to allow for betterment, improved design and a more practical resultant dwelling.

Amendments to the approved scheme, are a smaller overall footprint, slight increase in heights, and amendment to window layout and size.

The increase in height is solely to allow for a more user friendly layout, and dwelling meeting the most up to date modern standards in terms of usability and access. No first floor living space is proposed.

6 PLANNING CONSIDERATION

The proposal is largely the same as that permitted under Class Q. However certain aspects of that scheme were constrained by the limitations of the permitted development rights. This does not however necessarily make the best scheme.

By the proposal being largely the same in terms of appearance and design it will have no detrimental effect.

The proposal is smaller in terms of footprint with a marginal increase height so the building is more user friendly in line with modern standards and requirements.

6.1 Access

The existing access to the highway will be used. With the existing private track utilised to access the dwelling. The access is of a good standard and serves the existing requirements of the site, and approved dwelling.

6.2 Landscape and visual impact

Only minor changes are sought over and above the permitted scheme, these are not thought to increase the visual impact of the site. Whilst the curtilage is being made larger the use of this would not be different to what is permitted on the wider site. The use would be no more intensive, and to some degree less so with more space.

Whilst the dwelling is increasing in height, compared to the existing building, this is marginal. This is also countered to a large degree by a reduction in the footprint of the building, meaning the building mass is not increasing.

The proposed building is much lower in terms of overall height than adjacent buildings and existing dwelling on site. The proposed dwelling will be seen in the context of these. In addition there are limited views into the site and so landscape and visual impact is thought to be negligible.

6.3 Ecology

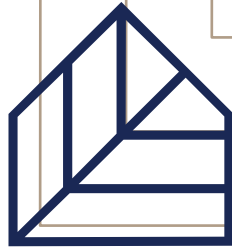
An ecological assessment was submitted with DC/21/03216. This is submitted again (albeit it based on conversion). The recommendations will be followed.

8 CONCLUSION

Minor changes are proposed over and above the permitted scheme. These are not though likely to cause any harm beyond what is permitted.

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