



Application to determine if prior approval is required for a proposed: Change of Use of Agricultural Buildings to a flexible use within Storage or Distribution (Use Class B8), Hotels (Use Class C1), Commercial/Business/Service (Use Class E), or until the end of July 2022, uses previously classified as Assembly and Leisure (Use Class D2)

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class R

**Publication of applications on planning authority websites**

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

## Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Luggs Farm

Address Line 1

Station Road

Address Line 2

Sharpness

Address Line 3

Gloucestershire

Town/city

Berkeley

Postcode

GL13 9UP

Description of site location must be completed if postcode is not known:

Easting (x)

367727

Northing (y)

202587

Description

## Applicant Details

### Name/Company

Title

First name

L

Surname

Knott

Company Name

### Address

Address line 1

Luggs Farm Station Road

Address line 2

Sharpness

Address line 3

Gloucestershire

Town/City

Berkeley

Country

Postcode

GL13 9UP

Are you an agent acting on behalf of the applicant?

Yes

No

## Contact Details

Primary number

Secondary number

Fax number

Email address

## Agent Details

### Name/Company

Title

First name

Surname

Company Name

### Address

Address line 1

Address line 2

Address line 3

Town/City

Country

Postcode

## Contact Details

Contact Details

Primary number

Secondary number

Fax number

Email address

## Eligibility

This permitted development right was amended on 1 August 2021 to no longer include changes of use to those previously classified as 'assembly and leisure' that are not now included in Use Class E (commercial/business/service).

**If your proposed change of use is to a Hotel, Storage and Distribution, or Use Class E** (e.g. shops; financial/professional services; restaurants and cafes; offices; business; indoor sport, recreation, or fitness) then this type of application is still valid for eligible proposals.

**If your proposed change of use is to a Local Community or Sui Generis use previously classified as 'assembly and leisure'** (e.g. cinemas; concert halls; bingo halls; or dance halls) such changes of use are no longer considered to be permitted development. However, until the end of July 2022, it is considered to be 'protected development' and this type of application is still valid for eligible proposals.

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible. The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

The questions below will help determine if the proposals are eligible for this permitted development right.

Was the use of the site on 3 July 2012 (or the last use before that date) solely for an agricultural use as part of an established agricultural unit?

- Yes  
 No

Will the total combined floor space in the building(s) (previously and in this proposal) changed to a flexible use under this permitted development right exceed 150 square metres?

- Yes  
 No

Will the total combined floor space in the building(s) (previously and in this proposal) changed to a flexible use under this permitted development right exceed 500 square metres?

- Yes  
 No

Is any part of the land, site or building:

- in a safety hazard area;
- in a military explosives storage area;
- a scheduled monument (or the site contains one)
- a listed building (or within the curtilage of a listed building)

- Yes  
 No

## Description of Proposed Works, Impacts and Risks

Please describe the proposed development:

Change of use from agricultural to flexible class E to provide several small artistic studios with shared ancillary accommodation.

Please provide details of any transport and highways impacts and how these will be mitigated:

Vehicular access to the site will be via the existing crossover. Six parking spaces will be provided alongside two visitor spaces and a disabled parking space. It is not envisaged that the studio vehicular movements will be increased beyond the original agricultural use.

Please provide details of any noise impacts and how these will be mitigated:

The adjacent barns and residential properties are in the same ownership and the office space will be used by the owners of the residential property. Its proposed use for as artistic studios is not deemed to impact the residential occupant's enjoyment of their amenity space. The road and farm and could provide moments of disturbance during the passing of agricultural vehicles, however it was not considered this would impact the proposed use of the office.

Please provide details of any contamination risks and how these will be mitigated:

Although the site has been used for agriculture the barn has not been used for the storage of chemicals, fertilisers or other potential contaminants. Prior to the construction of the barn the site was used as open farmland with no evidence from historic maps that the site was used for other industrial, or mining procedures associated with likely contamination of the site.

A topographical survey of the site was undertaken which indicates that the levels are consistent with a very gentle fall across the site in a northerly direction. We can therefore suggest that the likelihood of made ground is very low.

The area is susceptible to high levels of radon so appropriate protection measures will be installed based on a radon assessment to be completed prior to technical design. A management asbestos survey has been undertaken and there are no ACMs present. Before starting work a full refurbishment and demolition survey will be undertaken and any ACMs will be appropriately removed as part of the proposed works.

Please provide details of any flooding risks and how these will be mitigated.

A flood risk assessment should accompany the application where the site:

- is in Flood Zones 2 or 3; or
- is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).

[Check if your site location is in Flood Zone 2 or 3 online.](#)

Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

The site is not subject to flooding and falls outside of flood zones 2 and 3 therefore no flood risk assessments are deemed necessary.

## Declaration

I / We hereby apply for Prior Approval: Change of use - agriculture to flexible commercial use as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Duncan Whitehead

Date

03/02/2022

