

Application relating to Prior Approval for Change of Use of Former Agricultural Buildings and Associated Operational Development to Form two Dwelling Houses

At:

Church Farm
Hornblotton
BA4 6SF

Application made on behalf of:

Mr Tony D'Ovidio

Supporting Statement by:

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BA5 1SY

Our Ref: PL.4755
Date: August 2022

1.0 **The Proposal**

- 1.1 The proposal involves converting the Application Buildings to create two, dwelling houses with a gross internal floor area of 273 sqm.
- 1.2 The stone elevations of the historic building will be repointed with some localised repair/rebuilding. The fibre cement profile roof will be replaced with clay tiles.
- 1.3 The concrete block 20th Century building will be faced with vertical board on board laid timber weatherboarding, under a replacement raised seam zinc roof.
- 1.4 The operational development necessary for the conversion to occur will involve new and altered window/door openings, installation of rainwater goods, internal partitioning, sanitation, heating, electrical and foul drainage services.

West & North Elevations



South Elevation



East Elevation



West and South Elevations



West Elevation



Background showing North Elevation for the buildings to be converted. The farmyard steel framed building will be demolished.



Modern farm building to be demolished



- 1.5 The livestock farming operations on the steading will cease following the granted of Class Q Conversion Rights. The submitted block plans shows the building and structures to be removed to achieve acceptable living conditions for the occupants of the conversion.

2.0 Was the Site Used as Part of an Established Agricultural Unit on or Before 20 March 2013?

- 2.1 This is the test of Class Q1 (a) paragraph x(a) of the Order defines an agricultural business as a building used for agriculture for the purposes of a trade or business.
- 2.2 Church Farm comprises a farm holding extending to approximately 40 hectares. Up until 2002 it was a dairy farm but after this the farm policy changed to beef and sheep farming. Since 2012, the farm policy changed to keeping young stock and dairy heifers. The application buildings have been used continuously for the farming uses described above and remain in agricultural use to the present day.
- 2.3 In the light of the above, the Application Building has been used as a part of an established unit, operating on or before the operative date of 20 March 2013. Consequently, the application accords with the requirements of Q1 (a) and (f) of the Order.

3.0 Other Tests Under Paragraph Q1

- 3.1 The building lies outside of any designations under Article 1 (5). It does not affect a scheduled monument or lie within a SSSI, Safety Hazard Area or used for military purposes and there are no Listed Buildings on the site. The land and buildings are not subject of an agricultural tenancy. The development therefore accords with paragraph Q.1(d), (j), (k), (l), and (m).
- 3.2 The buildings, subject of this application, has a building footprint area of 286 sqm. This is well below the maximum required by paragraph Q.1(b).
- 3.3 The extent of the curtilage, is contained within part of the yard area and does not exceed 286 sqm maximum. This accords with the interpretation of curtilage under paragraph 'x' of Part 3 of the Order. The pre-existing track and access is shown as part of the application but is not part of the building's curtilage for the purposes of Paragraph x of the Order.
- 3.4 The proposed external changes of the building, described are in Section 1 of this Statement. The installation of new openings are not limited in extent under Class Q. The only test under the Order is that the replacement walls are 'reasonably necessary' for the building to function as a dwelling. There are no proposals for replacement external walls. This accords with the requirements of para Q1 (i)(i).

4.0 Class Q1(b) Tests

- 4.1 Class Q(b) allows building operations reasonably necessary for the building to function as a dwelling house. Paragraph 104 of the PPG assumes agricultural buildings are capable as functioning as a dwelling and that some building operations will be necessary, but it is not the intention of permitted development rights to allow rebuilding work which would go beyond what is reasonably necessary for the conversion to residential use. This is a principle established by the High Court in *Hibbitt and another -v- Secretary of State for C & L G* 2016.
- 4.2 The Applicant has not commissioned a structural survey of the building, but it is apparent from a visual inspection that the walls, concrete floor and roof structure are in sound condition and physically suitable for conversion.
- 4.3 The proposed installation of glazed units is a building operation required to achieve a satisfactory design. Wall insulation will be achieved by internal dry lining; floor insulation by forming an insulated screed above concrete slab; roof insulation installed between the existing purlins. The proposal falls well within the ambit of 'conversion' within the ruling given in *Hibbitt*.
- 4.4 The proposed conversion therefore accords with the advice contained in paragraph 105 of the NPPG and complies with Class Q.1(i).

5.0 Class Q1(b) Conditions

(I) Transport and Highway Impact of the Development

5.1 Church Farm is located within the hamlet of Hornblotton, 430 m east of the A37. It is accessed by an unclassified unnamed road which connects the A37 with the B3153 road near Alford. This country lane is very lightly trafficked. A private farm track leads from the public highway to serve the farmstead. This has good visibility onto the country lane.

5.2 The proposed change of use will trigger the cessation of livestock farming of all the buildings on the farmstead. The new use will generate up to 16 traffic movement per day. This will be partially offset by its reduction in farm traffic movements.

(ii) Noise Impact

5.3 The site lies in open countryside, remote from any source of noise disturbance.

(iii) Contamination Risk

5.4 The buildings have a concrete floor. Its present livestock use may present a potential risk of ground contamination. This may need further analysis and if necessary, subject of a pre commencement planning condition.

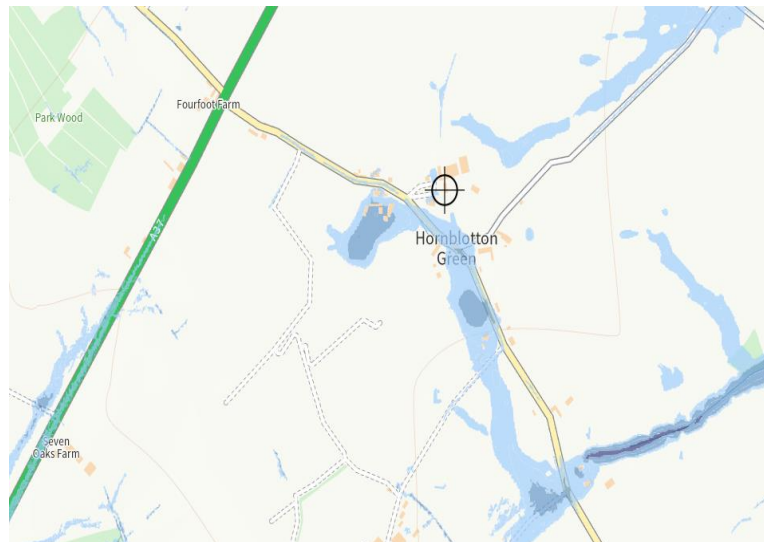
(iv) Flooding Risk

5.5 The site lies within Flood Zone I and distant from any water course. See flood map below –

Flood map – Extent of flooding



Surface Water Map – Flood risk from surface water



(v) Whether the location or siting of the building makes it otherwise impractical or undesirable for residential use

- 5.6 The Government's Planning Practice Guidance (paragraph 108 refers) confirms that permitted development rights do not involve the application of sustainable location test as would normally apply for planning applications.
- 5.7 The test of 'impractical or undesirable' contained in the Q2(1)(e) of the Order has been clarified in paragraph 109 of the Government's Planning Practice Guidance. The expression 'impractical' reflects that the location and siting would "not be sensible or realistic" and "undesirable" reflects that it would be "harmful or objectionable".

- 5.8 The proposed conversion in the Countryside is located adjacent to a rural lane. The introduction of a dwelling in this location would not introduce harmful or objectionable impacts to justify the denial of permitted development rights under Q2(1)(e) of the Order.

(vi) Design and External Appearance of the Building

- 5.9 Details of the design and external appearance of the conversion has been submitted and shown on drawings PL.4755/7. The form of the building necessarily has been retained, and the conversion is intended to reflect the character of the existing building.

(vii) Minimum Space Standards

- 5.10 Amendments to the GDPO include minimum space standards. Paragraph 3(9) of the Order does not grant planning permission for any new dwellinghouse under permitted development which does not comply with minimum space standards.

- 5.11 Unit 1 is on two floors yielding three bedrooms (5 bed spaces). The minimum space standard for this level of accommodation is 93 sqm plus 2.5 sqm built in storage. The proposed gross internal floorspace of unit 1 is 132 sqm. The minimum bedroom size for a double is 11.9 sqm, and 9.7 sqm for single bedspace with minimum widths of 2.15 and 2.75 m respectively. The proposed bedroom sizes for unit 1 for the double bedrooms are 11.7 sqm and 12.2 sqm and single bedroom of 9.6 sqm. The minimum bedroom dimensions exceed the minima described above.

- 5.12 Unit 2 is on ground floor only yielding two bedrooms (4 bed spaces) having a gross internal floorspace of 141 sqm. The bedroom sizes are 12.1 sqm and 17.4 sqm and both exceed width minimum referred to in the space standards.

(viii) Natural Light

- 5.13 The proposed floorplans and elevations plan indicate that all the habitable rooms are well lit by windows and open plan living/kitchen by French doors and casement windows.

5.14 The proposals are therefore considered acceptable in terms of natural light provision.

6.0 Conclusion

- 6.1 We have submitted evidence to demonstrate that under Class Q(a) of Part 3 of the Second Schedule to The Town and Country Planning (General Permitted Development) Order 2015 the development to convert the application building into two separate dwellings is permitted development.
- 6.2 The details of the operational development submitted with the application involve alterations which can reasonably be carried out within the ambit of a building conversion permitted under Class Q(b).
- 6.3 It is therefore requested the application for Prior Approval is granted.