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**PRIOR NOTIFICATION APPLICATION UNDER SCHEDULE 2, PART 11, CLASS B OF
THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
ORDER 2015 (AS AMENDED)**

DEMOLITION OF RESIDENTIAL OUTBUILDING

BAILEYS FARM POTSBRIDGE ODIHAM HOOK HAMPSHIRE RG29 1JW

APPLICANT: MR D STOREY

**March 2023
D&M REF: 020/20/JJ**

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1.0 INTRODUCTION

- 1.1 D&M Planning Limited has been instructed to submit this prior demolition application on behalf of our client, Mr D Storey, for the demolition of an existing 1980s constructed outbuilding at Bailey's Farm, Potbridge, Odiham, Hook, Hampshire, RG29 1JW.
- 1.2 The application property is situated in a rural location between Odiham, to the south-west, and Fleet / Church Crookham, to the east, with the small village of Winchfield to the north-east. There is the M3 motorway to the north.
- 1.3 As well as the existing single storey building, which was constructed in the 1980s, to be removed, the existing property comprises a substantial detached barn building together with some outbuildings. The south-western end of this building contains a self-contained dwelling and a detached garage and storage / recreation outbuilding on land located a short distance to the east of the main barn building.
- 1.4 In planning policy terms, the site is located in countryside but is not subject to any local or national landscape designations. The Farmhouse to the north, Bailey's Farmhouse, is a Grade II Listed Building and with the application site and main barn building once being part of this adjacent property, the Barn is regarded to be a Curtilage Listed Building.
- 1.5 The proposal to remove the existing building would at least respect the setting of the existing group of Listed buildings.
- 1.6 In view of the siting of buildings on site, and the degree of screening in the wider locality, the proposal will bring about a significant improvement to the setting of the Curtilage Listed building and the site's visual improvement in the wider landscape.

2.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 2.1 The application property is situated in a rural location between Odiham, to the south-west, and Fleet/Church Crookham, to the east, with the small village of Winchfield to the north-east. The site is situated on the north-western side of this part of Odiham Road and to the south of the M3 motorway.
- 2.2 The application property, known as Baileys Farm, is a two-storey former agricultural building, which is understood to have once been a barn in connection with the Grade II Listed Baileys Farmhouse, and is constructed mainly from brick with timber framing sits under a plain, clay tile, gable roof.
- 2.3 The property, Baileys Farm, is Curtilage Listed. The application property sits to the south of the Grade II Listed Baileys Farmhouse, which was initially Listed in November 1984.
- 2.4 Baileys Farm and Baileys Farmhouse became two separate dwellings in 2012 with their own private garden curtilages and other associated land. This division is clearly apparent upon any visit to the site.
- 2.5 The main Barn building on the site is substantial in size and scale. In addition to a self-contained dwelling which is occupied by the applicant located towards the south-western end of the building, the remaining areas of the building formerly accommodated stables, garaging, stores, indoor swimming pool and changing facility and a gym.
- 2.6 In addition to the main Barn, there are some outbuildings located to the east and within the residential curtilage. It is one of these buildings, constructed in the 1980s and highlighted on the submitted plans, which the applicant

wishes to remove. The site access (Odiham Road) also forms part of a Public Right of Way (PRoW 502).

- 2.7 Parking and access to Baileys Farm is situated to the south-east of the property, whilst parking for and access to Baileys Farmhouse is situated further north, within this property's (Baileys Farmhouse's) own domestic curtilage. The main access road leads off the Odiham Road.
- 2.8 The immediate locality is rural in character, but there are examples of other residential properties in the locality. These include a small group of dwellings at the top end of Potsbridge Road to the north-west of the site.

3.0 PLANNING HISTORY

3.1 The planning history relating to the site is set out in the following table:

Application Reference	Description	Decision
21/02559/HOU	Erection of a detached double garage building with storage/recreation room over	Full Permission 09/12/21
20/01336/LDC	Certificate of lawful use to demonstrate that the building (Baileys Farm) has been in continuous residential use as a self-contained residential dwelling house for in excess of 4 years	Granted 05/01/2021
20/01309/LDC	Certificate of lawful use to demonstrate that occupiers of the building (Bailey's Farm) have been in continuous breach of condition 3 of application reference HDC/12043 for in excess of 10 years	Granted 05/01/2021
87/16127/FUL	Conversion of barn to house swimming pool for domestic use	Full Permission 08/04/1988
84/12043/HD	Part change of use from outbuilding to residential	Full Permission 30/11/1984

4.0 ASSESSMENT OF PRIOR NOTIFICATION APPLICATION

4.1 The current application is submitted on behalf of the owner-occupier and the circumstances are as follows:

- The prior notification application involves the demolition of the whole 1980s constructed building.
- The removal of the building will improve the setting of the Curtilage Listed property and the character and appearance of the wider rural landscape.
- A Bat Emergence Survey prepared by Wychwood Environmental, submitted with this application, states:

The building does not support any active bat roosts. No further surveys are needed in relation to the small barn. 3 common pipistrelles were seen emerging from the garage north of the observed building, this is not set to be impacted by any works and no further recommendations are required at this time.

5.0 COMPLIANCE WITH SCHEDULE 2, PART 11, CLASS B

6.1 Although situated within the curtilage of a Curtilage Listed Building, the building to be removed was constructed in 1980s and, as such, is not a Curtilage Listed Building.

6.2 Therefore, the scheme is now assessed under Class B of Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended):

Class B - Demolition of Buildings

Permitted Development

B. Any building operation consisting of the demolition of a building.

B.1 Development is not permitted by Class B if -

(a) The building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support:

6.3 The building has not been rendered unsafe or otherwise uninhabitable by anyone with an interest in the property.

(b) the demolition is “relevant demolition” for the purpose of section 196D of the Act (demolition of an unlisted etc building in a conservation area) (a); or

6.4 The demolition does not relate to a building within a Conservation Area as set out in section 196D of the Act.

(c) the building is used, or was last used, for a purpose falling within—
(i) article 3(6)(p) (drinking establishments etc.) of the Use Classes Order; or

(ii) article 3(6)(q) (drinking establishments with expanded food provision) of that Order

6.5 The building is not a building used for a purpose as a drinking establishment either with or without expanded food provisions. Its lawful use is as a residential outbuilding.

(d) the building is used, or was last used, for the purpose of—

- (i) a concert hall;*
- (ii) a venue for live music performance; or*
- (iii) a theatre; or*

6.6 The building is not a building used for a purpose as a concert hall, venue for live music or a theatre. Its lawful use is as a residential outbuilding.

(e) the demolition relates to a statue, memorial or monument (“a commemorative structure”) in place for a period of at least 10 years on the date of any proposed demolition, other than a commemorative structure—

- (i) that is a listed building;*
- (ii) that is a scheduled monument;*
- (iii) within a cemetery, on consecrated land, or within the curtilage of a place of public worship;*
- (iv) within the grounds of a museum or art gallery; or*
- (v) within the curtilage of a dwellinghouse*

6.7 The building is not a memorial or monument. Its lawful use is as a residential outbuilding.

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

- (a) *where demolition is urgently necessary in the interests of safety or health and the measures immediately necessary in such interests are the demolition of the building the developer must, as soon as reasonably practicable, give the local planning authority a written justification of the demolition:*

6.8 The demolition is not ‘urgently necessary in the interest of health and safety’. As such, the applicant is not required to give the local planning authority a written justification for the demolition.

- (b) *where the demolition does not fall within paragraph (a) and is not excluded demolition—*

- (i) *the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site;*

- (ii) *an application described in paragraph (b)(i) must be accompanied by a written description of the proposed development, a statement that a notice has been posted in accordance with paragraph (b)(iv) and any fee required to be paid;:*

6.9 The applicant is complying with this requirement. The applicant, prior to beginning the development, is applying to the Local Planning Authority for a determination as to whether prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site.

- (iv) *subject to paragraph (b)(v), the applicant must display a site notice by site display on or near the land on which the building to be demolished is sited and must leave the notice in place for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the local planning authority;*

6.10 An appropriate site notice has been displayed on or near land on which the building to be demolished and will continue to be displayed for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the local planning authority. Photographic evidence has been provided as part of this application.

(v) where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in paragraph (b)(iv) has elapsed, the applicant is treated as having complied with the requirements of that paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;

6.11 This requirement is noted, and the applicant will seek to ensure that all reasonable steps are taken to protect the notice and if the situation arises, to replace the notice with a new one.

(vii) the development must not begin before the occurrence of one of the following—

(aa) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;

(bb) where the local planning authority give the applicant notice within 28 days following the date of receiving the application of their determination that such prior approval is required, the giving of such approval; or

(cc) the expiry of 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;

6.12 These requirements are noted.

(viii) the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—

(aa) where prior approval is required, in accordance with the details approved;

(bb) where prior approval is not required, in accordance with the details submitted with the application;

6.13 These requirements are noted and we can confirm that if the application were to be approved, the proposed demolition works will be carried out in full accordance with the agreed details.

(ix) the development must be carried out—

(aa) where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given:

(bb) in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (b)(ii); and

6.14 These requirements are noted.

7.0 CONSIDERATION OF PLANNING MATTERS

- 7.1 The key planning matters relevant to this application are considered to relate to ecology, landscape character and appearance, and setting of the Curtilage Listed building.
- 7.2 The building is of modern construction and is an unsightly development which, in our view currently detracts from the setting of the Curtilage Listed property and the character and appearance of the wider rural landscape.
- 7.3 Thus, and as set out at paragraph 4.1 of this statement, we reiterate that the removal of the building will significantly improve the setting of the Curtilage Listed property and the character and appearance of the wider rural landscape.
- 7.4 In regard to ecology, a Bat Emergence Survey, by Wychwood Environmental, has been prepared and submitted with this application, and states:

The building does not support any active bat roosts. No further surveys are needed in relation to the small barn. 3 common pipistrelles were seen emerging from the garage north of the observed building, this is not set to be impacted by any works and no further recommendations are required at this time.

- 7.5 It is therefore considered that there are no material planning related matters why prior approval for the removal of the 1980s domestic outbuilding should not be approved.

8.0 CONCLUSION

- 8.1 This submission has demonstrated that the proposal fully complies with all the relevant criteria as set out under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 8.2 We contend that there are no material planning related matters which would lead to the Council withholding permission to remove the structure.
- 8.3 We therefore consider that the application should be approved.
- 8.4 Please contact me if you should require any further information, seek clarification on any matter, or wish to discuss this further. In the meantime, we look forward to the registration of this application.

D & M Planning Ltd

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