



Modern Barn, High Walks Farm, HADDINGTON

Supporting Statement

for

Change of Use of Agricultural Shed to 2 x Dwellings

19th May 2023

Rev: -

project no. 517



The Old Mill
Chapel Hill
Lincoln
LN4 4QB

mob: 07958 188257

landline: 01526 268181

e-mail: guy@guyformanarchitects.com
www.guyformanarchitects.com

CONTENTS

Section	Item	Page
1	INTRODUCTION	3
2	SITE LOCATION	3
3	PROPOSED DEVELOPMENT	3
4	COMPLIANCE	4
5	CONVERSION OR 'FRESH BUILD'?	5
6	SERVICES	6
7	SUMMARY	6

1 INTRODUCTION

- 1.1 Guy Forman Architect Ltd have been instructed to prepare and submit a prior approval application for the change of use of an agricultural shed located on High Walks Farm, Haddington to a Dwelling house (Class C3), and for associated operational development.
- 1.2 This statement demonstrates that the proposed development is permitted development under Schedule 2, Part 3, Class 'Q' of the Town and Country Planning (General Permitted Development) Order 2015 and as amended in April 2018.



2 SITE LOCATION

- 2.1 The proposed development is located on Stone Lane to the west of the village of Haddington.
- 2.2 The agricultural shed, subject to the change of use, consists of a brick built/ corrugated clad, steel frame structure under a corrugated sheeted roof.

3 PROPOSED DEVELOPMENT

- 3.1 The proposed development seeks for the change of use of the agricultural shed and land within its immediate curtilage to a use falling within C3 (Dwelling House).
- 3.2 The design of the proposed development retains the overall form of the shed, which in turn has been laid out internally in order to make full use of its orientation and form in order to create 2 x large dwellings. The garden curtilage assigned to the dwelling will comprise the immediate surroundings around the dwelling.
- 3.3 The Agricultural Shed is in good condition and is suitable for conversion. The scheme retains the structural steel frame & brick walls. The building itself is of a good construction and is easily convertible - please refer to Structural Report produced by *Dragon Structural Ltd – Engineering Consultants*.

4 COMPLIANCE

4.1 Where the proposed development is permitted development under Class 'Q', the applicant is required to apply to the Local Planning Authority for a determination as to whether prior approval is required for the following matters:

- Transport & highways impacts of the development
- Noise impacts of the development
- Contamination risks on the site
- Flooding risks on the site

4.2 The following demonstrates that the impact of the proposed dwellings in respect of the above matters is not significant and should not be subject to prior approval.

4.3 Transport & Highways

There is an Existing Highways Access to the site from Stone Lane. There will be no adverse impact to highway safety as a result of the proposed change of use.

4.4 Noise Impacts

The proposed change of use will not have an adverse impact on neighbouring properties by way of noise, as they are situated an appropriate distance away. Further to this there will be no existing sources of noises at the site or within its immediate vicinity which could impact on the amenity of future occupiers of a dwelling.

4.5 Contamination Risks

The Shed in question has in the past been used as a Machinery Store & Crop Store. Accordingly, the risk of contamination is extremely low.



Image 2: Interior of Existing Agricultural Shed, Storing Agricultural Machinery

4.6 Flooding Risks

The development site is not located within a Flood Zone.

5 CONVERSION OR 'FRESH BUILD'?

5.1 In addition to the above, Class Q also requires that the agricultural building subject to the permitted development application is structurally capable of conversion and has an existing external envelope that is capable of conversion i.e. the proposed works to change the agricultural building to a dwelling would constitute conversion and not a re-build or 'fresh build' (as defined in the 'Hibbitt Judgement' - *Hibbitt and another v Secretary of State for Communities and Local Government (1) and Rushcliffe Borough Council (2) [2016] EWHC 2853 (Admin)*).

5.2 The accompanying Structural Report produced by *Dragon Structural Ltd* Engineering Consultants clearly demonstrates the Shed in question subject to this application is structurally capable of conversion.

5.3 From studying the Hibbitt Judgement and paragraph 105 of the National Planning Policy Guidance it is evident that the agricultural building subject to this application will amount to a conversion and not a re-build or 'fresh build'.

5.4 It is noted from the Hibbitt case that para. 14 of the Judgement states:

"Although I accept that substantial works could fall under the scope of class Q, they nonetheless presuppose that the works comprise 'conversion'. In this case, the building before me would not be capable of functioning as a dwelling without the building works outlined above which include the construction of all four exterior walls".

further on para. 27 of the Judgement states:

"The development was in all practical terms starting afresh, with only a modest amount of help from the original agricultural building".

5.5 Two things can be taken from the above: Firstly, that Class Q allows for substantial works to be undertaken in order to convert an agricultural building to a dwelling and secondly the Hibbitt Judgement relates to an agricultural building which was essentially being taken back to a skeletal frame and for the construction of four new exterior walls; The shed in question is to retain all of its structural steel frame and concrete walls. The shed will also continue to have timber cladding to its walls and corrugated sheet cladding to its roof.

5.6 Further to this, Paragraph 105 of the NPPG provides further guidance on what building operations are permissible under Class Q:

"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.”

- 5.7 Paragraph 105 of the NPPG further clarifies that internal works to existing agricultural buildings are permitted.

“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.”

6 SERVICES

6.1 Water

Class Q permits works that are reasonably necessary for the installation of a water supply.

6.2 Electric

Class Q permits works that are reasonably necessary for the installation of an electricity supply. However, it can be confirmed there is already an Electricity Supply to the shed.

6.3 Foul Drainage

Foul Drainage will be provided to the development through the provision of a new Sewage Treatment Plant to the dwelling.

7 SUMMARY

- 7.1 Adequate natural light has been provided to all inhabitable rooms (as dimensioned on the accompanying Proposed Plans/ Elevations) through the insertion of appropriately sized windows/ glazed doors and rooflights. These have all been sized to meet the requirements of Building Regulations.
- 7.2 This document demonstrates that the proposed conversion of the brick built/ sheet clad steel frame shed to a residential use is permitted development under Class 'Q' of the order. It also demonstrates that there are no significant environmental constraints associated with the proposed development and that prior approval is not required.