



Planning Statement

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Tippetts Farm, Tregony

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1 Introduction

- 1.1 This planning statement accompanies an application for prior of approval of a conversion from agricultural to residential dwelling of a barn at Tippetts Farm in Tregony.
- 1.2 Google earth imagery shows the barn in-situ at 2005 following
- 1.3 The application site is not within the AONB or World Heritage Site.
- 1.4 It should never be forgotten that Development Plan policies may pull in different directions and to achieve accordance with the development plan as a whole it is not always necessary to demonstrate conformity with every policy or even a majority of policies. The Courts have long held that accordance with the dominant policies of the plan represents accordance with the plan as a whole, notwithstanding some conflicts may exist.

2 Legislative Context

- 2.1 Class Q of the GPDO 2015 permits the conversion of agricultural buildings to residential under permitted development rights.
- 2.2 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) through Class Q allows for:

'Development consisting of

a) a 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 (dwellinghouses) 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 (dwellinghouses) of that Schedule.'

Development is not permitted through Class Q if any of the following criteria are applicable to the proposals as outlined through Q.1 of Class Q:

Q.1 Development is not permitted by Class Q if—

a) the site was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

b) in the case of—

(i) a larger dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or

(bb) the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres;

c) in the case of—

(i) a smaller dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate smaller dwellinghouses developed under Class Q exceeds 5; or

(bb) the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 100 square metres;

d) the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following—

(i) a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

(ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;

e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

f) less than 1 year before the date development begins—

- (i) an agricultural tenancy over the site has been terminated, and
- (ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—

- (i) since 20th March 2013; or
- (ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

i) the development under Class Q(b) would consist of building operations other than—

- (i) the installation or replacement of—
 - (aa) windows, doors, roofs, or exterior walls, or
 - (bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse; and
- (ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);

j) the site is on article 2(3) land;

k) the site is, or forms part of—

- (i) a site of special scientific interest;
- (ii) a safety hazard area;
- (iii) a military explosives storage area;

l) the site is, or contains, a scheduled monument; or

m) the building is a listed building.

2.3 This application is submitted in accordance with the conditional requirements of Class Q.2 which are as follows:

Q.2 — (1) Where the development proposed is development under Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- a) transport and highways impacts of the development,
- b) noise impacts of the development,
- c) contamination risks on the site,
- d) flooding risks on the site,
- e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and
- f) the design or external appearance of the building, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(2) Where the development proposed is development under Class Q(a) only, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the items referred to in sub-paragraphs (1)(a) to (e) and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(3) Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.

Interpretation of Class Q

Q.3. For the purposes of Class Q—

“larger dwellinghouse” means a dwellinghouse developed under Class Q which has a floor space of more than 100 square metres and no more than 465 square metres having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

“smaller dwellinghouse” means a dwellinghouse developed under Class Q which has a floor space of no more than 100 square metres having a use falling within Class C3 (dwellinghouses) of the schedule to the Use Classes Order.

3 The Proposal

- 3.1 The barn is a typical agricultural building finished with a mixture of corrugated steel, blockwork and timber panels.
- 3.2 The building subject of this application relates to a barn which is part of Tippetts Farm but adjacent between the two detached dwellings owned by third parties. This residential context to the barn lends itself well to a conversion without any kind of conflict between uses.

4 Planning Assessment

- 4.1 Assessment of this application needs to make reference to the requirements of Class Q within the GPDO 2015 as set out in Section 2. This is best done in tabular form so that each element can be directly addressed.
- 4.2 The proposal retains virtually all of the external materials and finishes. Opening have been inserted where necessary. The small open sided section on the southern elevation has been converted through a mixture of glazed openings and some timber cladding.

GPDO 2015 Class Q	Response
Class Q.1 a) the site was not used solely for an agricultural use as part of an established agricultural unit— (i) on 20th March 2013, or (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or (iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins	The site and building were in agricultural use on March 20 th 2013 and had been for many years prior to that. The use has been continuous with no intervening uses. Satellite imagery and mapping software show the barn in existence from 2005. Its use has been to house...
(b) in the case of— (i) a larger dwellinghouse, within an established agricultural unit— (aa) the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or (bb) the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres;	The proposal is for a single larger dwellinghouse of 408sqm so not exceeding the threshold of 3 large dwellings or 465sqm.
c) in the case of— (i) a smaller dwellinghouse, within an established agricultural unit— (aa) the cumulative number of separate smaller dwellinghouses developed under Class Q exceeds 5; or (bb) the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 100 square metres;	The proposal is a larger dwellinghouse not a smaller dwellinghouse.

<p>d) the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following—</p> <p>(i) a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;</p> <p>(ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;</p>	<p>There is just one unit proposed and it does not exceed 465sqm.</p>
<p>e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;</p>	<p>The site is not occupied under an agricultural tenancy.</p>
<p>f) less than 1 year before the date development begins—</p> <p>(i) an agricultural tenancy over the site has been terminated, and</p> <p>(ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;</p>	<p>There is no agricultural tenancy nor has there been in the last year.</p>
<p>g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—</p> <p>(i) since 20th March 2013; or</p> <p>(ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;</p>	<p>There has been no such development within the prescribed time periods.</p>
<p>h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;</p>	<p>There is no extension of the building beyond its existing external dimensions.</p>
<p>(h)the development under Class Q (together with any previous development under Class Q) would result in a building or buildings having more than 450 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;</p>	<p>The floorspace does not exceed 450metres and there has not been any previous Class Q development.</p>
<p>i) the development under Class Q(b) would consist of building operations other than—</p> <p>(i) the installation or replacement of—</p> <p>(aa) windows, doors, roofs, or exterior walls, or</p> <p>(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse; and (ii) partial demolition to the extent reasonably</p>	<p>The only building operations necessary are listed in this section.</p>

necessary to carry out building operations allowed by paragraph Q.1(i)(i);	
(j)the site is on article 2(3) land;	The proposed site including the building and the curtilage is not on article 2(3) land.
(k)the site is, or forms part of— (i)a site of special scientific interest; (ii)a safety hazard area; (iii)a military explosives storage area;	The site does not form part of a site of special scientific interest; a safety hazard area; or a military explosives storage area.
(l)the site is, or contains, a scheduled monument; or	The site does not contain a scheduled monument.
(m)the building is a listed building	The building is not listed.

4.3 The table above illustrates that none of the Q1 limitations apply and therefore the proposal is permitted development through Class Q subject to accordance with the conditions listed in Q2 below.

Q2 Conditions	Response
—(1) Where the development proposed is development under Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—	The application submitted which this Statement supports is the required prior approval and further information provided below
(a) transport and highways impacts of the development,	The building has an existing yard/parking area with direct access from the public highway that is proposed to serve as parking area for the dwellinghouse including turning which is adequate. Traffic flows from an additional dwelling will not lead to any significant impact on the highway network.
(b)noise impacts of the development,	The noise generated by a dwellinghouse will be at a lower level than the existing noise generation of agricultural use. The residential noise use will not be at a level where there could be any significant increase or consequence.
(c) contamination risks on the site,	There is no apparent evidence of contamination risk at the site. The development relates to the reuse of an existing building that is typical of a barn conversion proposal.

(d) flooding risks on the site,	The site is identified on the Environment Agency's Flood Maps as being in flood zone 1 with the lowest probability of flooding.
(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and	The building already has residential dwellings to the south, east and north. a conversion from agricultural to C3 will not be impractical or undesirable; arguably it will be a more appropriate use in this location.
(f) the design or external appearance of the building	Please see the accompanying plans.
<p>and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.</p> <p>Paragraph W requires:</p> <p>(a) a written description of the proposed development, which, in relation to development must include any building or other operations;</p> <p>(b) a plan indicating the site and showing the proposed development;</p> <p>(c) the developer's contact address;</p> <p>(d) the developer's email address if the developer is content to receive communications electronically; and</p> <p>(e) where sub-paragraph (6) requires the Environment Agency(a) to be consulted, a site specific flood risk assessment, together with any fee required to be paid.</p>	All these details are already provided elsewhere in the application pack.
(2) Where the development proposed is development under Class Q(a) only, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the items referred to in sub-paragraphs (1)(a) to (e) and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.	The development is not Class Q(a) only.
(3) Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.	The development will be completed within 3 years of the commencement.

5 Conclusion

- 5.1 The proposals constitute permitted development through Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This submission should therefore be supported.