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Buckinghamshire Council - Aylesbury Vale Area  
Development Control  
The Gateway, Gatehouse Road  
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Buckinghamshire HP19 8FF

Your Ref:  
Our Ref: Williams/2040/11845/001  
By Email

16 November 2023

Dear Sirs

**PRIOR NOTIFICATION FOR THE CHANGE OF USE OF AN AGRICULTURAL BUILDING TO B8 STORAGE USE UNDER PART 3 CLASS R OF THE TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)  
AT LOWER BARN, UPPER WENDOVER DEAN FARM, AYLESBURY HP22 6QB**

We enclose a Prior Notification under Part 3 Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("GPDO") for the change of use of a barn from agriculture to a flexible commercial use.

**The Established Agricultural Unit**

Upper Wendover Dean Farm has been farmed by the Purser family since 1959. For the last 20 years the farming business has comprised mixed farming raising beef cattle with arable.. The extent of the Farm, prior to the HS2 compulsorily acquired land is shown on Drawing C2782; the blue land remains in the ownership of the Farm whilst the pink land has been acquired by HS2.

**The Building**

The barn subject of this proposal was granted permission in 1993 (93/01156/AGN) and it has been used for housing cattle and storage of hay. The barn is steel portal frame with the gable ends clad with corrugated fibre cement panels over concrete block work. The south western elevation is clad with Yorkshire Boarding over concrete block work and the north eastern elevation is open sided with cattle feeding aisle along three bays.. The barn extends to c.452 square metres.



## Class R Criteria

We confirm that the proposal accords with the requirements of Class R, as demonstrated in the table below:

<b>R.1 DEVELOPMENT IS NOT PERMITTED BY CLASS R WHERE;</b>	
<p>(a) the site was not used solely for an agricultural use as part of an established agricultural unit—</p> <p>(i) on 3<sup>rd</sup> July 2012, or</p> <p>(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</p> <p>(iii) in the case of a site which was brought into use after 3<sup>rd</sup> July 2012, for a period of at least 10 years before the date development under Class R begins;</p>	<p>The site has been used solely for an agricultural use as part of an Established Agricultural Unit for many years. The Applicant's family acquired the site in 1959. The barn was granted planning permission in 1993 and since then to this date the building subject of this prior notification have been used solely for the purposes of agriculture.</p>
<p>(b) the cumulative floor space of the buildings which have changed use under Class R within an established agricultural unit exceeds 500 square metres;</p>	<p>The cumulative floor space of the buildings which have changed use under Class R is 0 sqm. The building subject of this prior notification extends to 452 sqm</p>
<p>(c) the site is, or forms part of, a military explosives storage area;</p>	<p>The site is not a military explosives storage area.</p>
<p>(d) the site is, or forms part of, a safety hazard area;</p>	<p>The site is not a safety hazard area.</p>
<p>(e) the building is a listed building or a scheduled monument.</p>	<p>The building is not listed or a scheduled monument.</p>

Table 1

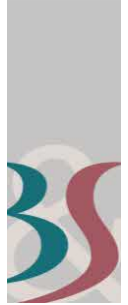
## Prior Notification – Conditions

R.3 (1) Requires that before changing the use of the site under Class R, and before any change of use to another use falling within one of the use classes comprising in the flexible use, the developer must;

- (b) where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit exceeds 150 square metres, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

**(i) transport and highways impacts of the development;**

Government guidance no longer requires councils to set maximum car parking standards. As a consequence Buckinghamshire Council treats all car parking standards set out in the Parking Guidance for New Developments (updated 2022) as guidelines rather than maximums. Clearly Class R allows for flexible uses which fall under different use classes, for reference these summarised in the table below.



USE CLASS	LOCAL STANDARD	REQUIREMENT
B1. Business - industrial unit	1 space per 41 sqm	12
B8. Storage	1 space per 120 sqm	4

Table 2

The barn is intended to be used for B8 storage purposes which is a low intensity use and is not expected to generate a significant level of vehicle movements. Based on the standards in Table 2 and on the basis that the proposal is change of use to class B8, the development proposals should provide a maximum of 4 car parking spaces and 1 cycle parking space, all of which are easily achievable within the curtilage of the building.

The Personal Injury Collision Data for the last five years inclusive has been reviewed (see Figure 1 below).

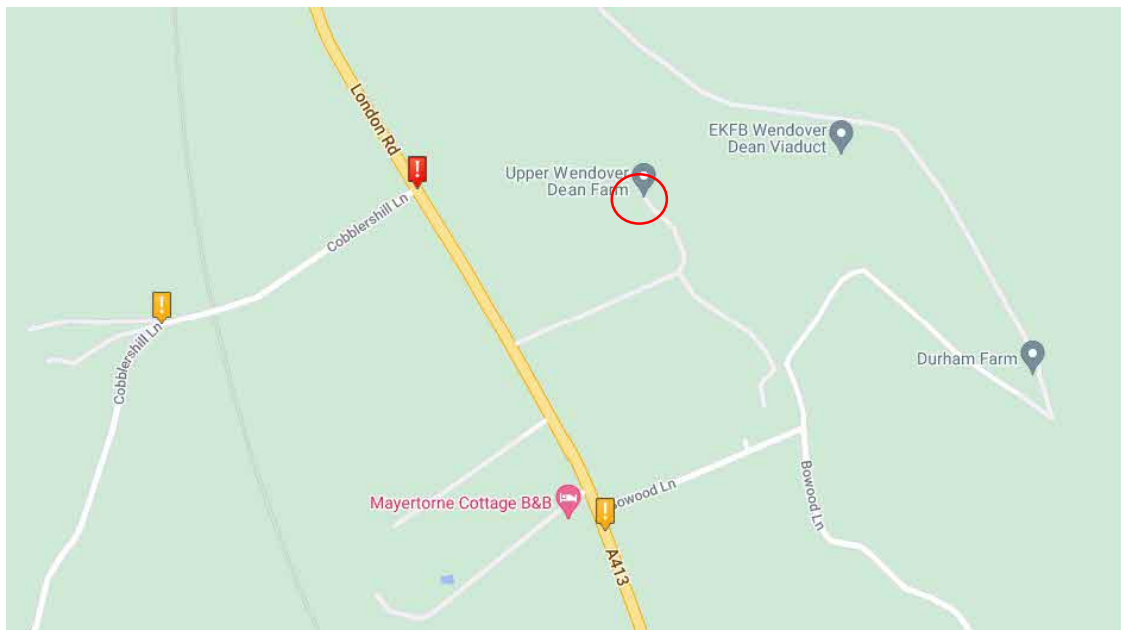


Figure 1: Source: [www.crashmap.co.uk](http://www.crashmap.co.uk)

The proposed development will be accessed via an existing driveway off of the A413 London Road. The data obtained from Crashmap suggests that no collisions have taken place at the access with the highway over the last five years.

There is sufficient space within the site for the parking and turning of vehicles associated with the proposed use which will ensure that all vehicles leaving the site will do so in forward gear.

The proposal will not lead to a significant increase in vehicle movements associated with the Farm and it should not receive a highways objection.

**(ii) noise impacts of the development;**

The use of the barn for [use class] will not generate noise nor will it be impacted by noise.



**(iii) contamination risks on the site; and**

The site is not known to have any contamination. In any case the use of the barn for storage will not be susceptible to any contaminants.

**(iv) flooding risks on the site,**

The farm is located in a Flood Zone 1 with a Low Probability of Flooding. In any case the proposal is for the change of use of the building for storage and is not anticipated to increase the risk of flooding on the site.

**Other information required by Class R**

**Curtilage**

Paragraph X of the GDPO defines the permitted curtilage as *“(a) the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or (b) and area of land immediately beside or around the agricultural building no larger than the land area occupier by the agricultural building, whichever is the lesser.”*

The plans clearly show that the combined GEA footprint of the existing buildings measures 452 sqm and the combined GEA of the proposed curtilage is 452 sqm. The curtilage is therefore no larger than the buildings which will benefit from the change of use through Class R.

**Building Operations**

The proposal does not involve any building operations. The proposal is simply for the change of use of the building.

**Summary**

This Prior Notification seeks the change of use of an agricultural barn to B8 flexible use. The barn has from 3<sup>rd</sup> July 2012 to the current day have been used for agricultural use as part of an Established Agricultural Unit.

The proposal meets the criteria set out in R.1 and this Prior Notification, required by R.3, is sought to enact the provisions of Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The W.(2)(ba) Statement is included within the prior notification form which is submitted with this letter.



### Prior Notification Documents

The prior notification comprises the following documents:

REFERENCE	DOCUMENT TITLE
PP-12609801	Application Form
2040/11845/001	Covering Letter including Statement
2040/11845/002	Flood Map
C2782	Land Farmed
B.18.096	Site Location
A.58.303	Block Plan

Table 3

If you require any further information or if you would like to arrange a site visit, please do not hesitate to contact me by either telephone or email.

Yours faithfully



**Ted Williams**  
Graduate Surveyor  
For and on behalf of Briggs & Stone Limited