



SUPPORTING PLANNING STATEMENT

Dalham Barn, Cooling Road, High Halstow

NOVEMBER 2023

SUPPORTING PLANNING STATEMENT

Pursuant to Schedule 2, Part 3, Class Q (a and b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

In support of an application for a determination as to whether Prior Approval will be required for the

Change of use of a building and land within its curtilage from an agricultural use to a use falling within Class C3 (as 1 dwelling-house), together with building operations reasonably necessary to convert the building

at

**Dalham Barn, Cooling Road, High Halstow, Rochester,
Medway, ME3 8SA**

On behalf of

Mr & Mrs. Stone

ISSUE DATE / REVISION	COPY REVIEWED BY	DATE COPY HAS BEEN REVIEWED
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1. Introduction

- 1.1. This statement is submitted in accordance with the requirements of Paragraph Q.2 (1) of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, on behalf of our client, Mr and Mrs. Stone. This statement supports an application under the provisions of Class Q, parts a and b, of this Order for a determination as to whether Prior Approval will be required for the conversion of an agricultural building into a residential dwellings at Dalham Barn, Cooling Road, High Halstow, Rochester, Medway, ME3 8SA.
- 1.2. In accordance with Paragraph W (a) of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, this supporting planning statement provides a written description of the proposed development. The application is also accompanied by a plan indicating the site and showing the proposed development, and the developer's contact address and email address are;

Mr and Mrs. Stone c/o Beth Watts, Bloomfields, 77 Commercial Road, Paddock Wood, Kent, TN12 6DS; and beth.watts@bloomfieldsltd.co.uk
- 1.3. The application building is situated to the north east of Cooling Road, to the north of a dwellinghouse known as Larchwood and Dalham Farm. The building is accessed via an existing access and track which serves the application building from Cooling Road. This access has good visibility and is in relatively close proximity to the building.
- 1.4. The agricultural building that is the subject of this prior approval application, comprises of a steel frame construction with concrete walls and a corrugated roof and gable ends. The barn was originally constructed as a cow shed and is currently redundant.
- 1.5. The agricultural building was granted prior approval in 2022 under the provisions of Class Q for its change of use and conversion to a dwelling house with reference 22/0065. We therefore anticipate there should be no problems with the principle of this submission being supported.
- 1.6. This application seeks to amend the design of the building only and provide additional details to hopefully negate the need for planning conditions. This Class Q resubmission should be read in the context of this existing extant permission.

2. Site Context

- 2.1. As can be seen in **Figure 1** below, the building is located to the north east of Cooling Road to the north of Dalham Farm the agricultural holding to the south. The site is accessed via an existing access from Cooling Road to the south west of the site.

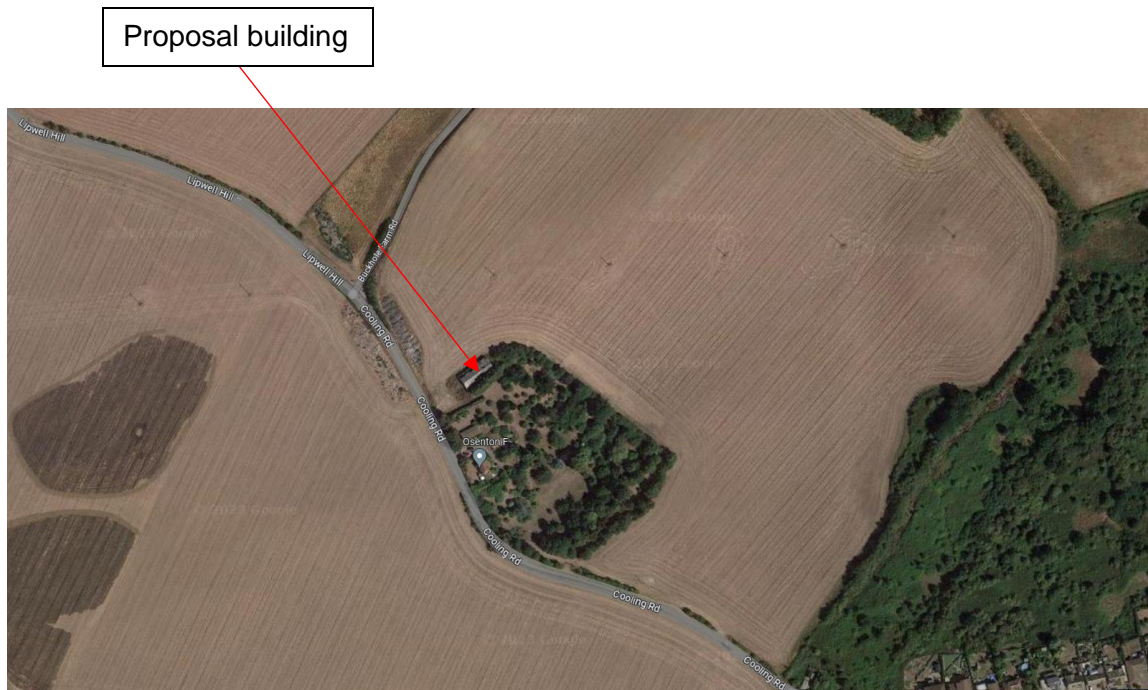


Figure 1: Aerial View of the site courtesy of Google Earth

Relevant Planning History

- 2.2. According to Medway Council's online planning history search, the proposal building has two relevant planning prior approval applications. In 2020 prior approval was refused for the proposal building's change of use and building operations to convert to a dwellinghouse with reference 20/2310 under the Class Q procedure. The reasons for refusal pertained to a lack of structural information to confirm that the barn could be converted as a well as too large curtilage area that is allowed by the Class Q legislation.

- 2.3. In 2022 prior approval was submitted with a structural report to rectify this reason for refusal and confirm that the barn is suitable for conversion alongside a reduction in the curtilage area to comply with the legislation. Prior approval was granted with reference 22/0065. We do not therefore expect this issue to be of concern as part of this submission.

3. Proposal

- 3.1. This application seeks confirmation that the change of use of the existing agricultural building at the holding and land within its curtilage, into one residential dwelling house falling within Class C3 together with building operations reasonably necessary to convert the building, is permitted development in this instance, under the provisions of Class Q of part 3 of Schedule 2 of the GPDO.
- 3.2. It is proposed that the agricultural building is converted into one dwellinghouse, which will be designed to in accordance with the legislation as a larger dwellinghouse.
- 3.3. The building operations reasonably necessary to convert the building include only the insertion and replacement of doors and windows, and replacement cladding material at the external walls and roof. The external alterations proposed are considered to be *'reasonably necessary for the building to function as a dwellinghouse'* as laid out within paragraph Q.1(i).
- 3.4. The extent of the residential curtilage for the proposed dwellinghouse has been carefully considered to ensure that it includes only land immediately beside and around the agricultural building and is no larger than the land occupied by the building, in accordance with the definition of 'curtilage' laid out at Paragraph X of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

4. Permitted Development

4.1. Class Q permits the 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 development referred to above, together with building operations reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) of that Schedule.

4.2. It is submitted that the proposed change of use of the buildings into residential dwellings would fulfil the specific criteria laid out at Paragraph Q.1 of the GPDO which states that development is not permitted by Class Q in the certain instances. Each circumstance is laid out below –

a) “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”;

4.3. Paragraph X clarifies that “site”, in this legislation, does not refer to the whole of the ‘site’ as what might normally be considered for planning purposes, but “means the building and any land within its curtilage”.

4.4. The site has clearly been used for the purposes which fall within the definition of ‘agriculture’, as defined at Section 336 of the Town and Country Planning Act (1990) (as amended) and can be considered to form an established agricultural unit. The land has been used for grazing and the agricultural building has been used for the keeping of livestock. The building is now redundant.

4.5. It is therefore fair to conclude that the site was used solely for an agricultural use as part of an established agricultural unit on 20th March 2013, and so this building can clearly be considered to constitute an agricultural building for the purposes of Part 3 of this Order.

4.6. The agricultural building was considered to comply with this criteria as part of application 22/0065 and we would not therefore expect this position to alter.

b) Development is not permitted by Class Q if “***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 exceed 3; or

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

ba) development is not permitted by Class Q if “the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 465 square metres.”

4.7. The proposal is for one larger dwellinghouse of 294 square metres in floor area. As has been noted in [Section 2](#) of this document, prior approval has been granted for this barn before. The agricultural building was considered to comply with this criteria as part of application 22/0065.

4.8. As such, the proposed dwelling does not have a floor space exceeding 465sqm, nor does the cumulative number of separate larger dwellinghouses developed under Class Q on the holding exceed 3.

4.9. Therefore, the proposed development would comply with the requirements of Paragraph Q.1 (b) and (ba).

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.

4.10. In this case the proposal does not include the provision of any dwellings which would constitute 'smaller dwellinghouses' as defined at Paragraph Q.3 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018.

4.11. No other smaller dwellinghouses have been granted prior approval under the provisions of class Q on the agricultural unit. Therefore, the scheme would comply with the Q.1(c).

4.12. The agricultural building was considered to comply with this criteria as part of application 22/0065.

d) Development is not permitted by Class Q if “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.”

4.13. In this case the application includes (i) one dwelling that would constitute a 'larger dwellinghouse' as defined at Paragraph Q.3 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018.

4.14. The cumulative number of separate dwellings proposed at this holding is one, which does not exceed the maximum number of five.

4.15. The agricultural building was considered to comply with this criteria as part of application 22/0065.

e) Development is not permitted by Class Q if ***“the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained.”***

4.16. The application is being made in support of the landowner and the applicant has confirmed that there are not any tenants in occupation. The agricultural building was considered to comply with this criteria as part of application 22/0065.

f) Development is not permitted by Class Q if ***“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.”

4.17. An agricultural tenancy over the site has not been terminated within the past year.

g) Development is not permitted by Class Q if ***“development under Class A(s) 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.”

4.18. There has not been any development carried out under Class A (a) or Class B (a) of Part 6 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) since 20th March 2013 at the agricultural holding or proposal site.

h) Development is not permitted by Class Q if “the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;”

4.19. As detailed on the submitted plans, the building operations reasonably necessary to convert the building would not incorporate any operational development that would extend beyond the external dimensions of the existing building.

i) Development is not permitted by Class Q if “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).”

4.20. As shown within the plans submitted, building operations required in connection with the proposed use would only incorporate the insertion and replacement of doors and windows, re-cladding and insertion of internal walls and roofing materials.

4.21. Under the heading “*What works are permitted under the Class Q permitted development right for change of use from an agricultural building to residential use?*”, paragraph 105 of the National Planning Policy Guidance (reference ID:13-105-20150305) recognises that the permitted development right under Class Q 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. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore, it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.”

4.22. In this case, it is considered that the building is capable of conversion without extensive alteration or rebuilding. The building is formed out of steel and concrete being of sound construction and capable of supporting the works necessary to undertake the conversion.

4.23. The agricultural building was considered to comply with this criteria as part of application 22/0065.

4.24. The installation of water, electricity, drainage and gas services would be permitted on the basis that they are utilities which are reasonably necessary for the building to function as a dwelling-house.

j) Development is not permitted by Class Q if “The site is on article 2(3) land”

4.25. The application site is not on designated article 2(3) land; namely it is not within a Conservation Area, Area of Outstanding Natural Beauty, an area specified for the purposes of section 41(3) of the Wildlife and Countryside Act 1981, the broads, a National Park, or a World Heritage Site.

k) Development is not permitted by Class Q if **“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.”**

4.26. The site is not, and does not form part of, any of these designated areas.

l) Development is not permitted by Class Q if **“This site, or contains a scheduled monument.”**

4.27. The site does not contain any scheduled monument.

m) Development is not permitted by Class Q if **“The building is a listed building”**

4.28. The building is not a listed building.

4.29. In light of the above, in accordance with Paragraph Q.1, it is submitted that the proposal would constitute permitted development. Therefore, subject to the condition that before beginning the development, in accordance with Paragraph Q.2 (1) 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;

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

- The design or external appearance of the building, and
- The provision of adequate natural light in all habitable rooms of the dwellinghouse.

5. Prior Approval for the Residential Use of the Building

- 5.1. The provisions of Paragraph W of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) apply in relation to this application as to whether prior approval would be required.
- 5.2. Paragraph W (10) (b) advises that the Local Planning Authority must, when determining an application, have regard to the National Planning Policy Framework ‘*so far as relevant to the subject matter of the prior approval, as if the application were a planning application*’.
- 5.3. To this end it is relevant to note the Ministerial Statement on Local Planning by Nick Boles published in advance of the 2015 changes to legislation which permit the proposed change of use, which in itself is considered to carry a degree of weight as a material consideration. It was said that “*we expect local planning authorities to take a positive and proactive approach to sustainable development, balancing the protection of the landscape with the social and economic wellbeing of the area...other protected areas are living communities whose young people and families need access to housing if their communities are to grow and prosper*”.
- 5.4. This was re-affirmed by amendments to the National Planning Practice Guidance which states that “*a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval*”. It also advises that “*the permitted development right does not apply a test in relation to sustainability of location. This is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs*”.

- 5.5. Paragraph 38 of the National Planning Policy Framework states “*Local planning authorities should approach decisions on proposed developments in a positive and creative way... Decision-makers at every level should seek to approve applications for sustainable development where possible*”.
- 5.6. It is submitted that prior approval is only required in relation to the above criteria, and the proposal should be considered acceptable in relation to each of these issues as follows;

6. Transport and Highways Impacts of the Development

- 6.1. The proposed use of the building as a dwellinghouse would not amount to any significant increase in traffic numbers given the agricultural use of the site. Furthermore, it is submitted that the proposed residential use of the building would give rise to less vehicle movements than an alternative proposal for a commercial use, which could be carried out as a permitted development by virtue of Class R of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Given the amount of residential uses to the south, the development would not generate any material increase or a material change in the character of traffic in the vicinity of the site.
- 6.2. Comments from KCC Highways Officers with respect to similar proposals in the vicinity have been noted and should be given due consideration. For example, with respect to a proposal for the conversion of an agricultural building into five houses served by an access with similar visibility splays and use the Council was advised;
- “Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.”*
- 6.3. It is noted that the vehicles movements would become domestic in nature and as such, less frequent; at regular times of day; and less likely to result in noise disturbance.

- 6.4. Any proposal under the provisions of Class R of this legislation would also be subject to assessment as to whether prior approval was required with respect to the transport and highways impacts of the development. However, the proposed residential use of the building would generate movements of domestic vehicles rather than commercial vehicles. These tend to be much smaller in scale, less noisy and less likely to cause disturbance issues with neighbouring properties. Domestic vehicles are also far better equipped to navigate junctions, being smaller and quicker.
- 6.5. Paragraph 110 b) of the National Planning Policy Framework advises that decisions should take account of whether a safe and suitable access to the site can be achieved for all people. The proposal would make use of an existing access which is considered to benefit from adequate visibility splays. There is ample existing parking space.
- 6.6. It is therefore submitted that there is not any requirement for this application to be accompanied by a Transport Statement or Transport Assessment, in accordance with Paragraph 113 of the National Planning Policy Framework.
- 6.7. Prior approval was not required for this criteria as part of application 22/0065. It is respectfully submitted that prior approval should not therefore be required from the Local Planning Authority in relation to the transport and highways impacts of the development, in accordance with Paragraph Q.2 (1) (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7. Noise Impacts of the Development

- 7.1. It has previously been acknowledged that this legislation is concerned with the noise impacts **of** the development rather than impact of noise upon future occupants. The point being that, in interpreting the literal wording of this part of the Order, it should only be necessary to consider whether the proposed development (i.e. the conversion of the existing agricultural building to a residential dwelling) would **create** any noise impacts. It has previously been agreed that the literal reading of this Part of the Order actually precludes consideration of the potential noise impacts created by any existing land use.
- 7.2. That being said, in this case the current access runs immediately adjacent to the existing houses situated along this highway, such that the passage of commercial and/or agricultural vehicles would clearly have a discernible impact upon occupants of those properties. The use of this access by domestic vehicles instead would be bound to improve or lessen the likelihood of noise impacts at those properties.
- 7.3. Whilst Paragraph W (13) of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) clarifies that “*the local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval*”, it is not considered that the imposition of any conditions relating to noise attenuation would be necessary in this instance.
- 7.4. Prior approval was not required for this criteria as part of application 22/0065. Prior approval should not therefore be required from the Local Planning Authority in relation to the noise impacts of the development, in accordance with Paragraph Q.2 (1) (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

8. Contamination Risks on the Site

- 8.1. The Government's website clarifies that 'contaminated land' is used in general terms to describe land polluted by heavy metals, oils and tars, chemical substances, gases, asbestos or radioactive substances. It also clarifies that the legal definition of contaminated land includes substances that could cause significant harm to people or protected species, and/or significant pollution of surface waters or groundwater.
- 8.2. Paragraph 003 of the 'land affected by contamination' section of the National Planning Policy Guidance identifies that Part 2A of the Environmental Protection Act 1990 provides a risk-based approach to the identification and remediation of land where contamination poses an unacceptable risk to human health or the environment. Paragraph 004 says contamination is more likely to arise in former industrial areas but cannot be ruled out in other locations including in the countryside.
- 8.3. However, in this instance there has not been any inappropriate spreading of materials such as sludges or any contamination being moved from its original source. The area is not considered to be affected by the natural or background occurrence of potentially hazardous substances, such as radon, methane or elevated concentrations of metallic elements.
- 8.4. In this case the building has been used for the purposes connected with agriculture, namely the keeping of livestock. It is therefore submitted that there would not be any unacceptable risks from pollution and the development would be appropriate to its location, in accordance with Paragraph 185 of the National Planning Policy Framework.
- 8.5. Prior approval was not required for this criteria as part of application 22/0065. It is respectfully submitted that prior approval should not be required from the Local Planning Authority in relation to the contamination risks on the site, in accordance with Paragraph Q.2 (1) (c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

9. Flooding Risks on the Site

- 9.1. Paragraph 159 of the NPPF advises that inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at high risk.
- 9.2. The site is not located within any designated Flood Zone and does not have critical drainage problems that have been notified to the Local Planning Authority by the Environment Agency.
- 9.3. As such, it is submitted that the development would be carried out within an area which has a lower probability of flooding, and so it would not be necessary for the Local Planning Authority to consult the Environment Agency, in accordance with Paragraph W (6) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 9.4. It is also therefore not necessary for this application to be accompanied by a site- specific Flood Risk Assessment, in accordance with Paragraph W (2) (e) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 9.5. Prior approval was not required for this criteria as part of application 22/0065. In turn, it is respectfully submitted that prior approval should not therefore be required from the Local Planning Authority in relation to the flood risks on the site, in accordance with Paragraph Q.2 (1) (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

10. Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a dwelling-house

- 10.1. As detailed above, the proposed development is considered to be fully compliant with the criteria set out within Paragraph Q.1 of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 10.2. It is relevant to note paragraph 109 (Reference ID: 13-109-20150305) of National Planning Policy Guidance in relation to this matter, which says *“a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval”*.
- 10.3. The building is of a sufficient size to be equipped with all of the necessities required for occupation as dwellings which would make a valuable contribution to the supply of dwellings in this rural area. Adequate external amenity areas and parking could also be provided. It would therefore be possible to ensure a high-quality design and a good standard of amenity for future occupants, in accordance with paragraphs 126 and 130 of the National Planning Policy Framework.
- 10.4. The National Planning Policy Guidance indicates that *“the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals”*. It is clear that the nature of the surrounding uses which this prior approval matter is intended to safeguard against are not present at this site. It is strongly submitted that the nature of the uses surrounding the application building are not such that they should be considered sufficient to give rise to any undesirable impact in accordance with National Planning Policy Guidance.
- 10.5. As such, there would not be any reason for the building to be considered impractical nor undesirable as dwellings, in accordance with Paragraph Q.2 (e) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 10.6. Prior approval was not required for this criteria as part of application 22/0065. It is respectfully submitted that prior approval should not therefore be required from the Local Planning Authority in relation to whether the location or siting of the buildings make it otherwise impractical or undesirable for the building to change from agricultural use to dwellinghouses in accordance with Paragraph Q.2 (1) (e) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

11. The Design and External Appearance of the Building

- 11.1. It is relevant to note that amendments carried out to the National Planning Policy Guidance on 22nd February 2018 clarify that *“It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.”*
- 11.2. The National Planning Policy Guidance also goes on to clarify that *“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”.*
- 11.3. In terms of structural works, as has been shown within the submitted plans, this building is considered to be capable of being converted in its current form. The proposal aims to retain the character of the existing building as much as possible.
- 11.4. In terms of the visual impact of the proposed external works, the proposed changes to the fabric of the buildings have been carefully thought-out to ensure that they would result in only minimal changes which are reasonably necessary to convert the buildings. Modern materials would be used to ensure an attractive finish, however, the design subtly highlights the agricultural character, for example, by the use of the existing brickwork and concrete render finish.

- 11.5. The proposal does not include the insertion of any flues, aerials or similar domestic paraphernalia which might otherwise materially alter the character of the buildings. It is therefore submitted that the building operations would be appropriate insofar that there would not be any material impact upon the character or appearance of the building, which would remain that of a former agricultural structure.
- 11.6. Prior approval was not required for this criteria as part of application 22/0065. It is respectfully submitted that prior approval should not therefore be required from the Local Planning Authority in relation to the design or external appearance of the buildings, in accordance with Paragraph Q.2 (1) (f) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

12. The Provision of Adequate Natural Light in All Habitable Rooms of the Dwellinghouse

- 12.1. Paragraph W (2A) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states that *“where the application relates to prior approval as to adequate natural light, the local planning authority must refuse prior approval if adequate natural light is not provided in all the habitable rooms of the dwellinghouses.”* Habitable rooms are defined as any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms.
- 12.2. The scheme has been designed to satisfy the criteria set out within Daylight Standard BS EN 17037, with regard to daylight provision; assessment of the view out of windows; access to sunlight; and prevention of glare. As such, it is submitted that the proposed conversion would provide adequate natural light in all of the habitable rooms of the dwellinghouse.
- 12.3. It is respectfully submitted that, prior approval should not therefore be required from the Local Planning Authority in relation to the provision of adequate natural light in all habitable rooms of the dwellinghouse, in accordance with Paragraph Q.2 (1) (g) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

13. Conclusion

- 13.1. It is submitted that this proposal should be considered to constitute permitted development, in accordance with Paragraph Q.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
- 13.2. It is submitted that prior approval should not be required in relation to the transport and highways impacts of the development, the noise impacts of the development, contamination risks on the site, flooding risks on the site, whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a residential use or the design or external appearance of the building. It is therefore submitted that the proposal would be in accordance with Paragraph Q.2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 13.3. It is therefore respectfully requested that the Local Planning Authority approves this application for the change of use of the building and land within its curtilage from use as an agricultural building to a use falling within Class C3 of the Schedule to the Use Classes Order, and the building operations reasonably necessary to convert the building.