

SUPPORTING STATEMENT

**APPLICATION FOR PRIOR DETERMINATION OF A PROPOSED
CHANGE OF USE OF AN AGRICULTURAL BUILDING TO PROVIDE
ONE DWELLINGHOUSE**

AT

**Barn at Burnthouse Farm
Little Cornard
Sudbury
Suffolk
CO10 0NU**

**WHIRLEDGE
& NOTT**

1. INTRODUCTION

- 1.1 This application seeks prior determination from Babergh District Council in relation to the change of use of an agricultural building at Burnt House Farm into one dwelling no greater than 450sq m. This application is made on behalf of the RABI.
- 1.2 Full planning permission is not deemed necessary for the proposed development on the basis that the proposal conforms with the provisions of Class Q of part 4 of schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. This application seeks prior approval of the development as set out on the attached plans.

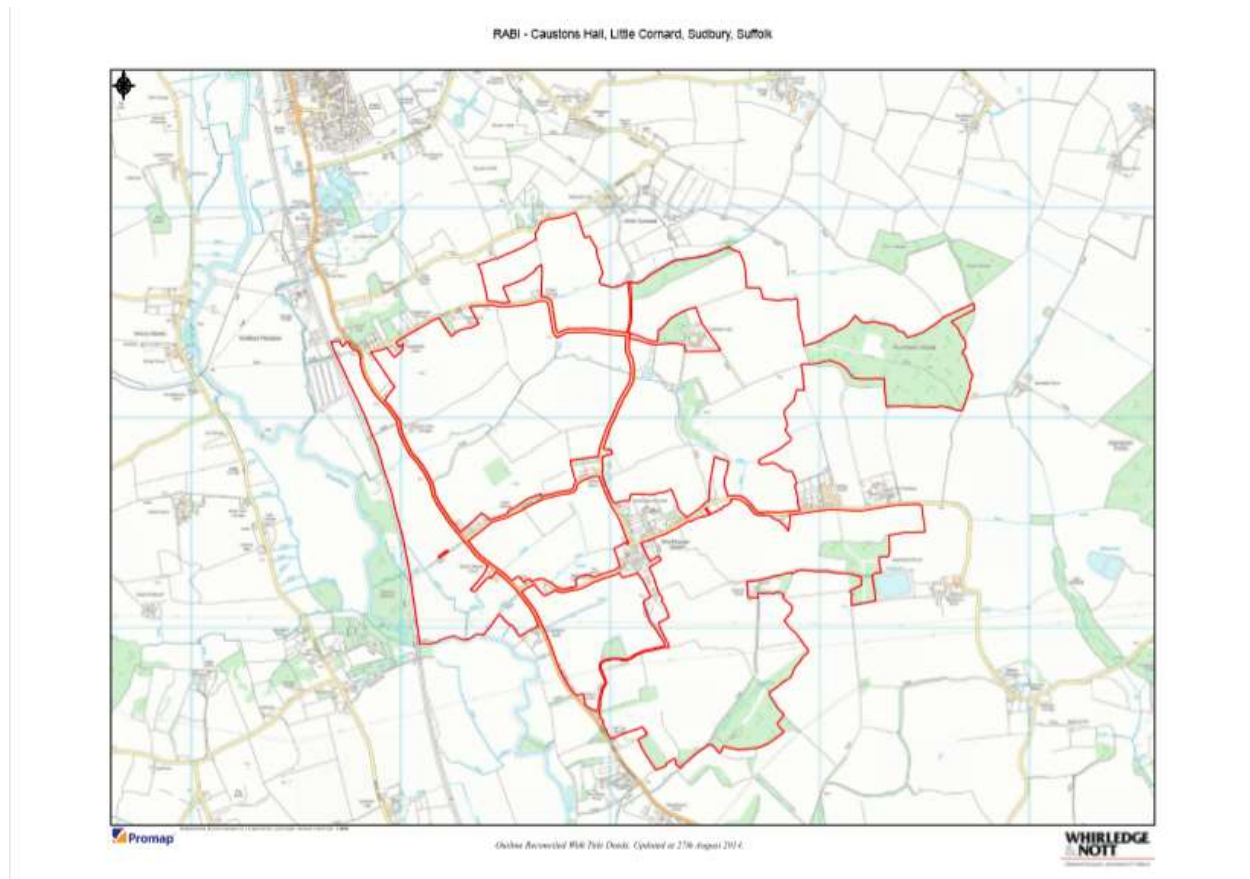
2. PLANNING POLICY BACKGROUND

- 2.1 Given the Permitted Development Rights which came into effect on the 6th April 2014, the Government clearly believe that the change of use of agricultural buildings to dwellings is in line with the National Planning Policy Framework and therefore the development it allows is sustainable. The changes allowed under the permitted development will make a strong contribution towards the provision of new homes, reducing some of the pressure for new greenfield development and allowing under-utilised buildings to be brought back into productive use.
- 2.2 Planning permission is not deemed necessary on the basis that the proposal conforms to the provisions set out The Town and Country Planning (General Permitted Development) (England) Order 2015. 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 (dwelling houses) of the Schedule to the Use Classes Order; and
 - (b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwelling houses) of that Schedule.
- 2.3 The new permitted development provisions do not differentiate between the age, type or condition of any buildings which might be suitable for conversion.

3. THE SITE AND BUILDING

- 3.1 The proposal relates to the change of use of an existing agricultural building and the land within its immediate curtilage. The site is located to the western side of Bures Road (B1508). The agricultural unit has been owned by the RABI since 1954.
- 3.2 Plan 1 below shows the extent of the agricultural holding associated with the holding. The farm extends to approximately 1000 acres. The site has always been in agricultural use and has been occupied for the purposes of agriculture on or before the 20th March 2013.

PLAN 1 – AGRICULTURAL UNIT



- 3.3 The site is accessed via the existing yard, with access to the building utilizing the existing access.
- 3.4 For this proposal to comply with the regulations it is necessary that the site was used for agricultural purposes on and immediately before 20th March 2013 or when it was last in use. The building subject to this proposal has been in agricultural use on and since the relevant date as it has been used as agricultural storage.
- 3.5 It is confirmed that the following criteria are also satisfied:
- the site does not form part of a safety hazard area or military explosives storage area;
 - the buildings are not a listed building or scheduled monument;
 - no development utilising other agricultural PD rights has been undertaken on the unit since 20th March 2013.
- 3.6 The footprint of the existing buildings which will be utilised for the change of use is 167m².

4. PRIOR DETERMINATION – CLASS Q(a)

- 4.1 In accordance with the Order, we request a determination as to whether the prior approval of the LPA is required for the Class Q(a) development in this instance in regard to:
- Transport and highways impacts of the development
 - Noise impacts of the development
 - Contamination risks on the site
 - Flood 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 use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order

4.2 Transport

The access onto the main road is established and it is not considered dangerous in this location. Visibility is good in both directions. The level of traffic generated by this proposal will not be significant and it is of scale and type compatible with the rural area. It is therefore not considered that there will be a detrimental impact on highway safety following the proposed change of use into residential dwellings.

There is sufficient space to provide parking provision in accordance with the Suffolk Guidance for Parking.

4.3 Noise

The proposed use is unlikely to generate any adverse impact on any existing tranquillity of the surrounding countryside.

4.4 Contamination

There has never been any landfill or waste disposal on or around the site and given historically the use of the site has been agricultural rather than industrial, the pollution and contamination risk is deemed to be low.

Relevant surveys can be carried out prior to commencement of development to assess any low level risks relating to the previous agricultural use and then these can then be mitigated in the process of development.

4.5 Flood Risk

The site is not within an identified flood risk zone and there is no history of flooding issues on the site.

4.6 Location and Siting

The government guidance in paragraphs 108/109 states 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. Instead, the local planning authority can consider whether the location and siting of the building would make it impractical or undesirable to change use to a house.”

It is considered that the siting of this development is not impractical or undesirable. The re-use of this building is considered appropriate.

There is demand for rural properties and the private curtilage provided with this property ensures that there is no undesirable impact from the adjacent farming operations.

Design consideration has been given to the internal layout of the building and the setting of the associated curtilage to ensure that they are compatible with the location. There would be no extension of domestic paraphernalia into the wider landscape with this proposal as external areas have been kept immediately to the rear of the building to minimise any impact.

5. PRIOR DETERMINATION – CLASS Q(b)

- 5.1 In addition to the above, we also request a determination as to whether the prior approval of the LPA is required in relation to the design or external appearance of the building.
- 5.2 To assist with the determination we enclose the following information:
 - Existing elevation plans
 - Proposed elevation plans

6. CONCLUSION

- 6.1 It is deemed that the proposal for the change of use of the building should be considered permitted development, under Class Q of schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015 as amended.
- 6.2 The proposed change of use will not lead to any detrimental adverse effects on traffic, flood risk, noise or contamination.
- 6.3 The siting and location of the building is deemed to be acceptable for the proposed use in line with current government guidance.