



Delegated Report

Prior Notification Application

Planning Application No: 20240039

Location: Brookers Farm, Luddesdown Road, Luddesdown, Gravesend

Description: Prior notification under Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use from an agricultural building to a flexible use as offices and off licence (Use Class E).

Applicant: Mr Steven Chappell, Vineyard Farms Limited

Site Visit Date: Desktop assessment

Submitted Documents/Plans

Application form
Drawing no. P(00)01 (Winery Office Site Location Plan)
Drawing no. P(2-)02 (Proposed office layout)
Drawing no. P(2-)04 Rev. B (Proposed elevations)
Block Plan

Relevant Planning History

Reference	Description	Decision	Decision Date
20231145	Prior notification under Part 3 Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of 9 additional Wine Fermentation and Storage Tanks.	Refused	03.01.2024
20231116	Retrospective application for the necessary engineering operational works to construct a track to service an associated compost/storage area.	Permission	11.01.2024
20231110	Engineering works to construct a formal car parking area for Vineyard Farms Ltd office, and winery and vineyard workers; and other users of Brookers Farm.	Refused	22.12.2023
20230454	Application for retrospective temporary consent for the erection of 41 wine fermentation and storage tanks	Temporary permission	22.06.2023
20230181	Engineering works to construct a formal car parking area for Vineyard Farms Ltd office, and winery and vineyard workers.	Refused	24.05.2023
20210607	Retrospective application for erection of two storage/fermentation tanks.	Temporary permission	23.07.2021
19880177	Erection of two agricultural buildings to form grain store, workshop/general purposes building.	Permission	23.05.1988
19500058	Alteration of existing and erection of new farm buildings	Permission	08.05.1950

Officer's Analysis

This application seeks determination pursuant to Article 3, Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) in respect of the change of use from an agricultural building to a flexible use as offices and off licence (Use Class E).

Planning decision 19880177 (GR/88/177W), applied the following condition:

(ii) The grain store and workshop/general purposes building hereby permitted shall be used for agricultural purposes in connection with the agricultural operations at Luddesdown Organic Farms Ltd., and for no other purpose (including any purpose within the Classes B1, B2 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order).

Use Class B1 (Business Use) has been revoked and replaced with use Class E(g).

Permitted Development Rights have therefore been removed for alteration of this building for Agricultural Use and so the application does not meet the criteria to under Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Conclusion and Recommendation

The application site fails to meet the criteria to be considered under Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as permitted development rights have been removed on this building, for any change of use that is not agricultural. On that basis, prior approval is refused.

See draft Decision.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	27 th March 2024	Dated:	02 April 2024