

Planning Statement

A conversion from agricultural use to residential use is Permitted Development, under Schedule 2 Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015-
Permitted development

Q. 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; and
- (b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

Subject to the conditions Q.1 & Q.2. below:

Development not permitted

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;

The site has been part of an established agricultural unit for more than 40 years

- (b) the cumulative floor space of the existing building or buildings changing use under Class Q within an established agricultural unit exceeds 450 square metres;

The buildings on the site total 289 m²

- (c) the cumulative number of separate dwellinghouses developed under Class Q within an established agricultural unit exceeds 3;

The proposed dwellings on the site total 3

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

There are no tenants

- (e) 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;

There have been no tenants for many years

- (f) 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;

no development has been carried out

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

The existing external dimensions are not extended

- (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;

The buildings on the site total 289 m²

- (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);

The building operations meet these requirements

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

The site is not an AONB or Conservation Area

- (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 is not an SSSI etc

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

The site is not a scheduled monument

- (m) the building is a listed building.

The buildings are not listed

The meaning of 'curtilage' for Class Q is described in part X as land around the buildings no larger than the area occupied by the buildings themselves, and this has been allowed for in the site boundary.

Conditions Q.2. has also been satisfied as follows.

- (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,

This is considered in the 'Access Appraisal V1.0.' accompanying the application

- (b) noise impacts of the development

The access to the south of the site is in the control of the applicant, to the south of which lies Hill Farm and its ancilliary domestic storage buildings. There would be no remaining agricultural uses in the buildings in close vicinity, so no unneighbourly noise from farming operations can be expected. The land to the north and west is open farmland, and Taylors Lane to the east is a quiet rural road, so the overall noise environment is conducive to a peaceful residential occupancy of the site.

- (c) contamination risks on the site

The land and buildings have been used for agricultural food production for decades, with no record of any industrial or other commercial use, so there is no expectation that contaminated land will be present.

- (d) flooding risks on the site

The Environment Agency Flood Map shows that the site is in neither a fluvial nor tidal flood plain (see below).

- (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

The site is in a desirable and practical location for dwellings, alongside an existing attractive period dwelling and about 350m north of the built up area of Higham which has many civic and retail facilities.

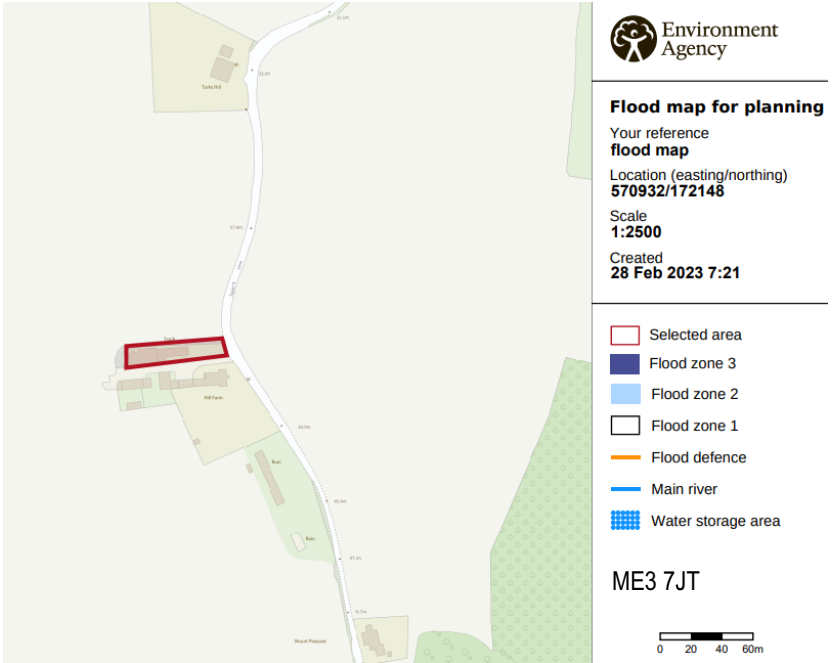
- (f) the design or external appearance of the building, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

The buildings are substantial and of traditional appearance. They will convert easily to residences without any change in their mass, and minimal change in their appearance, as illustrated on drawing 22-36-06 accompanying the 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.

This application satisfies the condition.

- (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.



Design & Access Statement

The site is about 450m as the crow flies to the southwest of the edgge of the built up area of Higham. It has been in agricultural use for many years.

Use

A change of use from agriculture to residential is sought

Amount

The existing internal floor area is 256 sqm gross internal. The proposal is to add to this within the roof spaces. There are 3 dwellings proposed, plot 1 at 101 sqm, plot 2 at 106 sqm. and plot 3 at 170 sqm.

The external footprint of the building is 289 sqm. The garden and parking areas proposed total 289 sqm.

Layout & Access

The existing access drive is used. A new hardstanding for 6 cars is provided, to be unallocated. A path connects this to the entrqance doors to the south side of the building, alongside the access used for the remaining buildings

Scale

As existing.

Appearance

The agricultural appearance will be maintained, with loading doors replaced by glazed front doors or windows, with any existing opening not required to be clad with treated timber vertical boarding. Roof lights are set into the roof surfaces.

Materials

The corrugated asbestos roofing will be replaced with black bitument sheets, and areas of slate are replaced with slate. The door and windows will be from hardwood. The brick walls remain as they are.

Sustainability

The improvement in the building fabric required by the Building Regulations for the change of use will ensure the dwellings are well insulated with lower heating demand and CO² emissions than most existing houses. The use of existing construction significantly lowers the embodied CO² emissions from the construction.

CLIENT: Richard Batchelor

PROJECT: Buildings north of Hill Farm, Taylors Lane, Higham

TITLE: Planning & Design & Access Statement

SCALE: NTS DATE: 02/23 DWN: GB

DRAWING NUMBER 22-36-07



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