

Supplementary Planning Information

In support of

Notification for Prior Approval for the Change of Use (Class Q)
of a barn to one dwellinghouse



At

Agricultural building
Folly Farm
Shilton Road
Kirkby Mallory
Leicester
LE9 7QL

Applicant

Mr E Herrick

Herrick Partnership

Agent

Sally Moore BSc (Hons) PgD MRICS FAAV

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Application summary	
Description	Notification for Prior Approval for the Change of Use (Class Q) of a barn to one dwellinghouse
Site address	Agricultural building, Folly Farm, Shilton Road, Kirkby Mallory, Leicester, LE9 7QL
Applicant	Mr E Herrick, Herrick Partnership
Job reference number	J1009094
Agent details	The Rural Planning Co Telephone: 01299 667344 Email: team@theruralplanningco.co.uk
Documents submitted	Application Form Planning Statement Conversion Method Statement Location Plan Site Plan Existing Elevations and Plans Proposed Elevation and Plans Structural Survey

1.0 Introduction

This document comprises planning information in support of an application for prior notification for the change of use of an agricultural building to residential (C3) use including associated building works.

The application is made under The Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2 Part 3 Class Q parts (a), (b) and (c), as amended (21 May 2024) and is designed in accordance with the technical housing standards – nationally described space standards (March 2015).

2.0 Details of the property

Address of property	Agricultural building, Folly Farm, Shilton Road, Kirkby Mallory, Leicester, LE9 7QL
Applicant	Mr E Herrick, Herrick Partnership
Agent	Sally Moore of The Rural Planning Co
History of the site	The Herrick family have farmed at Folly Farm for a number of years, and continue to operate with multiple generations involved. The farmed land extends to around 450 acres, including a mixed enterprise of cattle, grassland and arable production. In recent years the adoption of Environmental Farming Schemes has led to a shift in how the farm is operated and as a result had an impact on the need for and use of their buildings. The building which is the subject of this application lies within the corner of the farmyard and has been used for general storage including of produce and implements. It is appropriately positioned near to only storage buildings, and is well suited to be converted into a modest dwelling for a family member to occupy. The conversion of the building into a dwellinghouse is intended to support succession planning and multi-generational living at the farm; with Mr & Mrs Herrick planning to move out of the farmhouse and into the new dwelling, to enable their son to occupy the farmhouse with his family and to support him in taking a more active role in the running of the farm business. The need for active succession planning on farms is welcomed by Government in planning policies and represents a genuine utilisation of the Class Q parameters for the success and longevity of the farm.

3.0 Criteria for Class Q under Q.1

a) Established agricultural unit	The building is currently occupied as part of an established agricultural unit.
b) Was/no longer part of established agricultural unit	N/A; the building is currently occupied as part of an established agricultural unit.
c) Floor space	The gross internal area of the proposed dwelling is 98sqm. The footprint of the building extends to around 105sqm.
d) Cumulative dwelling houses	The development on this holding under Class Q both within this application and under previous development under Class Q will not result in either: i) Cumulative number of separate dwellinghouses exceeding a total of 10. ii) Cumulative floor space of the dwellinghouses having more than 1,000sqm of floor space. There have been no other dwellinghouses developed under Class Q on the agricultural landholding. The site will consist of a total of 1 dwellinghouse and be a total proposed GIA of 91sqm. It would therefore not exceed the total of 10 separate dwellinghouses and will not exceed 1,000sqm of floor space.
e) Agricultural tenancy	No agricultural tenancy exists.
f) Termination of agricultural tenancy	N/A
g) Use of permitted development rights	No other development has been carried out on this established agricultural unit under Class A (a) or Class B (a) of Part 6 of the General Permitted development Order during the period which is 10 years before the date development under Class Q begins.
h) External dimensions	The development does not include any extension to the building, other than that permitted as a protrusion of up to 0.2 metres to accommodate building operations as allowed by paragraph Q.1(j)(i). The protrusion will allow for the installation of external insulation to the building, enclosed with timber and steel cladding. This is within the allowable building operations.
i) Extensions	The proposed development does not include any extensions.

j) Building operations / schedule of works	Building operations will be minimal; please see the existing and proposed elevations and accompanying Conversion Method Statement. The application is accompanied by a Survey report prepared by Paul Smith of Geomex (Euring Paul Smith DipHI, BEng(Hons), MSc, C.Eng, C.Build E, FICE, FCABE, FCIQB, MCMI, MCIHT) The Report identifies that the barn is of steel frame construction with timber beams and rafters. The walls are enclosed with blockwork and corrugated fibre cement sheets, and the roof is corrugated fibre cement sheets attached to the steel frame. The building has an existing concrete floor slab which is flat and level and suitable for retention. It has an existing damp proof membrane; the floor can be overlain with insulation and screed. The report confirms the building is in suitable structural condition for conversion to a habitable dwelling without the need for structural alterations or improvements. The frame, cladding, roof and floor can all be retained within the conversion, subject to minor works such as cleaning and painting. The addition of windows, doors and insulation to the existing walls and roof does not afford any necessary structural improvements and the existing building is able to sustain the loads imposed on it. The existing corrugated and blockwork walls will be retained and fully utilised within the conversion. It is proposed to add insulation to the exterior surface of the existing walls and enclose with timber and steel cladding. This is not a structural addition, but an opportunity to improve both the thermal efficiency of the building and its external appearance through the addition of a 'second skin' which would be within the parameters of the permitted building operations and external protrusions.
k) Protected areas	The site is not on land protected under article 2(3) and is not a Conservation Area, Area of Outstanding Natural Beauty, National Park, Broads, or World Heritage Site.
l) Site constraints	The site is not: i) A site of special scientific interest ii) A safety hazard area iii) A military explosives storage area
m) Scheduled monument	The site is not, nor does it contain a scheduled monument.

n) Listed building	The building is not listed, nor within the curtilage of a listed building.
o) Space standards	The proposed dwelling unit complies with the nationally described space standard issued by the Department for Communities and Local Government.
p) Access	It is proposed to utilise the existing access. No new or amended access is required.

4.0 Conditions under Q.2 (1)

a) Transport and highways	Access is provided via an existing driveway. Visibility onto the highway is good, and there is ample room within the site for access and turning space. There is an existing track with hardstanding leading directly to the building as identified on the plans; this track is partially grassed over but is stone underneath and will be suitable for year round use to the dwelling.
b) Noise impacts	The proposed residential use will have no unacceptable noise impact.
c) Contamination	There are no contamination risks identified on the site. The building has not been used to store hazardous materials, including pesticides, herbicides, fungicides, bactericides, sewage sludge, farm waste, hydrocarbons from farm machinery or for asbestos disposal. There are no known cases of spills or leaks which would give rise to contamination concerns.
d) Flood risk	The site is outside any areas at risk of flooding from rivers and seas, reservoirs or surface water as designated by the Environment Agency, and no known flooding issues have occurred on the site.
e) Suitability of the site – impractical or undesirable	The location, siting and orientation of the building is considered suitable and acceptable for residential use. The application site is located within the defined open countryside. There is a degree of inevitability that agricultural buildings across the country will not usually be located in or immediately adjacent to existing settlements, hence they will rarely meet the normal locational sustainability test. This is acknowledged by Paragraph 108 of the National Planning Practice Guidance, which states “the permitted development right does not apply a test in relation to sustainability 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.” Paragraph 109 provides an interpretation of what constitutes impractical or undesirable circumstances for a residential change of use. It confirms that, <i>“....the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would “not be sensible or realistic”, and undesirable reflects that it would be “harmful or objectionable”.</i> The building which is the subject of this application is sensibly located at the edge of the farmyard. The site has existing access and can be easily connected to services. It is not therefore impractical. While there will be continuing agricultural operations within the wider yard area, that in itself does not render the site undesirable. Indeed; arguably the whole intention of the Class Q legislation is to allow conversion of agricultural buildings which by their very nature are often sited within active farms. Folly Farm is a mixed farm, with a combination of arable, grassland and cattle enterprises. In recent years the farm has embraced environmentally sensitive farming incentives and accordingly put much of their land down to less intensive grassland. The yard at Folly Farm is large, running from north to south with the farmhouse roughly central. The proposed dwelling is at the far north west of the yard, bordered to the north, west and south west by fields. The buildings to the southern end of the yard are the main livestock buildings. The building closest to the proposed dwelling is a modestly sized grain store, and other buildings nearby are used for general purpose storage. There is a shed in use for winter cattle housing at the northern end of the yard, but some 65m away from the proposed dwelling and separated by other buildings. Some small mostly redundant timber buildings to the south-east of the proposed dwelling are used for general farm storage, or to periodically accommodate the applicant’s chickens when they have them – not intensive poultry farming, just a few chickens kept for personal use and appropriate to be within the vicinity of a dwelling. It is likely that these small timber structures will be removed from the site in due course anyway as they don’t provide any modern functional purpose. A small brick structure is adjacent to the proposed dwelling; this is a redundant structure. It will likely be removed in due course and does not form part of the proposals. Access to the site is as existing; vehicles will travel along the existing farm drive and pass by the existing farmhouse before following the track round to the proposed dwelling. The existing track has become grown over, but does
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	have an existing stone base and is suitable for use. The track leading from the farmhouse to the proposed dwelling is not used by any farm machinery, and would only be used in connection with the dwelling; there will be no conflict in traffic movement. Machinery used on the farm is commonplace such as tractor or loader and so not considered dangerous. The dwelling is not located near to chemical stores. The dwelling and its curtilage will be well defined, away from intensive agricultural activity, and appropriately located to ensure that the location is not undesirable. To consider the guidance within the PPG, the dwelling is not adjacent to uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals. There are no ongoing or proposed activities or uses at this site which would be considered to make the provision of this dwellinghouse undesirable – harmful or objectionable – either for the continued farming operations or for the occupiers of such dwellings in the future, especially given that the dwelling is only intended to be occupied by family members connected with the running of the farm.
f) Design and appearance	The proposal for the design and appearance of the building are shown on the proposed elevations drawing. The nature and appearance of the building will not be inappropriate in the rural setting. The design of the conversion, including the windows and door openings, has been carefully considered to enhance the visual appearance and setting of the building, maximise the use of the space available and ensure the practicality and usefulness of the living space. Effort has been made to reflect the original agricultural style of the building, mirroring large openings and utilising existing materials where possible. New openings have been kept to a minimum, whilst balancing against the need to provide high quality natural light to every habitable room. The addition of the external steel and timber cladding will ensure that the building can optimise its energy efficiency (allowing for the inclusion of insulation without taking away from internal space) while improving the appearance of the building. While the building would be able to be converted and to function without the new cladding, the cladding will improve the design and is well within the parameters of what is allowed as a protrusion to the building. The dwelling will be simple and agrarian in form and nature, whilst being developed using high quality materials and carrying out works to the highest

	standards to ensure that the building is well constructed and energy efficient.
g) Adequate natural light	The submitted elevation and floorplan drawings show that appropriate natural light is provided to all habitable rooms of the dwellinghouse.

5.0 Other considerations

Curtilage	It is confirmed that the area of curtilage identified on the plans as the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with the serving of the agricultural building, will be no larger than the area occupied by the agricultural building. The building footprint is confirmed on the submitted plans to be 105m². The proposed area of garden and parking is 105m². The overall red line for the proposal is therefore 210m².
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6.0 Conclusion

We submit that this proposal for the change of use of an agricultural building to residential (C3) use is in accordance with the criteria set out with The Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2 Part 3 Class Q parts (a), (b) and (c), as amended (21 May 2024), and as such, does not require the Authority's prior approval as to;

- (a) transport and highways impacts of the development,
- (b) noise impacts of the development,
- (c) contamination risks on the site,
- (d) flooding risks on the site,
- (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 (dwelling houses) of the Schedule to the Use Classes Order,
- (f) the design or external appearance of the building and
- (g) the provision of adequate natural light in all habitable rooms of the dwelling house

We should be grateful to receive confirmation in due course and would be happy to provide clarification on any issue should this be required by the Local Planning Authority.