

**DESIGN AND ACCESS STATEMENT FOR THE
CONVERSION OF AN AGRICULTURAL BUILDING TO
FORM ONE DWELLINGHOUSE (C3 RESIDENTIAL
USE) AND ASSOCIATED BUILDING OPERATIONS
UNDER THE TOWN AND COUNTRY PLANNING
(GENERAL PERMITTED DEVELOPMENT) (ENGLAND)
ORDER 2015 (as amended) PART 3, CLASS Q (a) &
CLASS Q (b)**

**BRICK BARN at LAND OFF BOSWORTH ROAD,
WELLSBOROUGH. CV13 6PA**

21st June 2023

INTRODUCTION

This design and access statement has been prepared by Howkins and Harrison on behalf of the applicant Mr and Mrs T Greenfield.

The proposal is to change the use of the existing brick built agricultural building to a single dwellinghouse by exercising rights provided under Part 3 Class Q (a) and Class Q (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This application is to cover both Part 3 Class Q (a) and (a) by seeking approval of the change of use in respect of the design, external appearance and necessary building operations.

This statement should be read alongside the following supporting documents:

1. Site location plan
2. Existing Block Plan
3. Proposed Block Plan
4. Existing floor plan and elevations
5. Proposed floor plan and elevations
6. Existing and proposed cross section drawing
7. Site photographs
8. Structural survey prepared by ASP Consulting

THE PROPERTY

The property is known as 'Brick Barn at land off Bosworth Road' (opposite Temple Hall Cottages) is situated down a private driveway off Bosworth Road in Wellsborough. Wellsborough is a rural hamlet in the county of Leicestershire. The rural yet accessible location is situated 3 miles west from the market town of Market Bosworth where a wide variety of shops and local services can be found.

The existing farmyard area is approximately 0.8 acres and comprises of a range of steel portal framed agricultural buildings used for housing cattle and sheep during lambing and a red brick building used as an agricultural storage building for straw and machinery along with workshop area.

The farmyard is surrounded by pasture land with mature hedge boundaries to the roadside, there are a few residential dwellings on the opposite side of Bosworth Road along with a primary school and agricultural buildings. The location is rural and outside of the Limits to Development, the property is in Open Countryside.

HISTORY

The site comprises of a working farmyard when the applicants runs a beef cattle and sheep enterprise. The applicants purchased the farmstead in 2014, prior to purchase it was in agricultural use and remains in this use today.

The brick barn that this application relates to has been on site for over 20 years. It has been used as an agricultural store (for straw and farm machinery) and workshop. The Barn is located to the front of the farmyard and has no other buildings attached to it. The property is accessed directly off Bosworth Road via a private driveway which is 70m in length.

The building is constructed with internal timber trusses, steel columns and brick wall cladding, ridged roof sheeting, guttering and concrete floor.

The gross external area of the building is 268.07m².

PLANNING HISTORY AT THE PROPERTY

Date	Application Reference	Description	Decision
16 th November 2021	21/00486/FUL	Extension to existing cattle building	Permitted
13 th February 2018	17/01303/FUL	Erection of portal framed livestock building	Permitted
7 th September 2015	15/00711/GDO	Extension to existing agricultural building	This building was not built
30 th May 2022	22/00523/CLE	Certificate of lawful existing use for an agricultural building being used to house livestock	Certificate of lawful existing use

PROPOSAL

The application is for a change of use from agricultural building to a single storey 3 bedroom dwellinghouse with associated curtilage.

The proposed dwelling will be occupied by the applicants Mr and Mrs Greenfield who currently farm at the property. The applicants live off-site and travel to and from the farm multiple times a day. Converting the building into a dwelling will enable the applicants to be on hand to deal with the livestock and be there during critical times such as lambing.

The proposed conversion will have the following accommodation:

Ground floor: Kitchen/ dining room, lounge, study, utility room, WC, three bedrooms and family bathroom.

The proposed conversion work does not involve any extension beyond the footprint of the existing building. The building will remain unchanged in character, the cross section shows how the building will be insulated.

The proposed dwelling will have a gross internal area of 184.18m² and a gross external area of 208.44m².

The residential curtilage including the parking area is 205.65m²

The total gross external area of the building is 268.07m² – the remaining 59.63m² will be in agricultural use as a workshop.

ASSESSMENT AGAINST PART 3 Class Q (a) and Class Q (b) of THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (as amended)

Part 3 of The Town and Country Planning (General Permitted Development) (England) Order (as amended) sets out the criteria permitting the change of use of an agricultural building and its curtilage to a use that falls under Class C3 (Dwellinghouse) together with any building operations reasonably necessary to convert the building to a dwellinghouse.

The criteria is set out below along with the justification that the proposal meets this criteria.

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 property is an established agricultural unit, the building this application relates to was built over 20 years ago and has been used for the purpose of agriculture since construction. It is used as an agricultural store for the storage of straw and machinery along with farm workshop area.

(b) 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 exceeds 3; or

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

The proposed application is for a single dwellinghouse with a gross external area of 208.44m²

(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;

The proposed application is for a single dwellinghouse.

(d) 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;

The proposed building has a gross external floor area of 208.44m² and is the only building to be converted into a dwellinghouse..

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

The site is not occupied under an agricultural tenancy.

(f)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;

The site has not been subject to an agricultural tenancy.

(g)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 under Class A(a) or Class B of part 6 of this schedule since 20th March 2013 or 10 years before the date development under Class Q begins.

(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 development does not result in the external dimensions extending beyond existing external measurement.

(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;

(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 development is under 450m² and does not require building operations other than those reasonably necessary for the building to function as a dwelling house.

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

The building is not on article 2(3) land

(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;

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

(m)the building is a listed building.

The site does not form any of the above.

Conditions

Q.2—*(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

(b)noise impacts of the development,

(c)contamination risks on the site,

(d)floodings 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 (dwellinghouses) of the Schedule to the Use Classes Order, and

(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.

(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.

(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.

CONSTRUCTION

A structural survey has been carried out by Mr S Parker of ASP Consulting. The report has concluded that there are no structural reason why the existing building cannot be converted into a residential dwelling, an extract from the report is shown below:

'it is considered that the building in its present state is structurally stable and suitable for conversion to a domestic property with minimal work'

A copy of the report from ASP Consulting including photographs has been submitted with this application.

TRANSPORT AND HIGHWAYS IMPACT OF THE DEVELOPMENT

The access to the dwelling is via an existing hardcore driveway, a private driveway which connects the farmyard to the public highway (Bosworth Road). The driveway is of hardcore construction and is wide enough for one-way traffic, the proposed residential curtilage provides ample room to park and turn the car around in order to exit the site in a forward gear.

As mentioned earlier in this report the proposed dwelling is to be occupied by the applicant who own and run the existing sheep and cattle enterprise from the property. The applicants currently live offsite and drive to and from the property several times of the day (and night during lambing time). Once the applicants are living onsite the number of traffic movements to and from the property will reduce.

The proposed dwelling will not have a negative impact on the highway, it will significantly reduce the number of traffic movements once constructed.

NOISE IMPACT

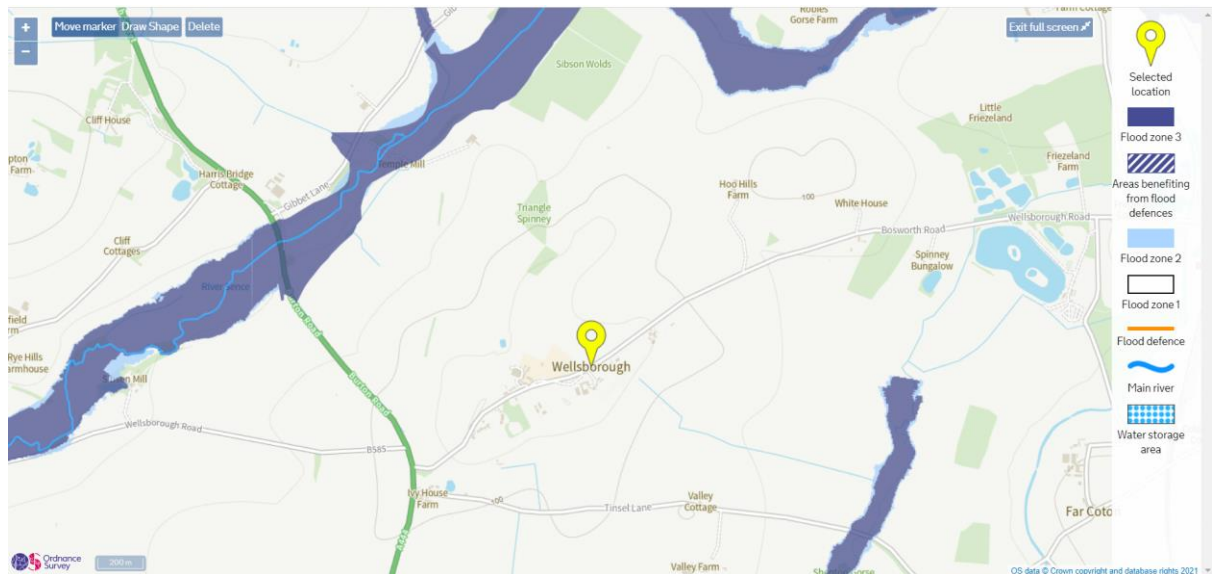
The noise impact of this development would be less than the current noise created during use as an agricultural store. The development will not give rise to any negative noise impacts on neighbouring properties.

CONTAMINATION

The building has always been in agricultural use and has not been used for the storage of potential contaminants

FLOOD RISK

As shown below on the Environment Agency's Flood Risk May there is not a floor risk on the site as the site falls under flood zone 1.



LOCATION, DESIGN AND EXTERNAL APPEARANCE

The building is in a good location as the access track is a short distance from the public highway, both water and electricity are connected to the building. The building has been designed sympathetically with the external appearance only changing slightly and will still be in keeping with the surrounding area. The windows and doors remain in similar locations and the dwelling faces Bosworth Road with its outlook over the fields away from the farmyard.

CONCLUSION

The proposal seeks prior approval for the proposed change of use of 'Brick Barn', Bosworth Road, Wellsborough from use as an agricultural building to a single dwellinghouse and associated building operations as permitted by Part 3: Class Q (a) and Q(b) of the Town and Country Planning (general permitted development)(England) Order 2015 (as amended).

The application has been supported by a positive structural survey that confirms its suitability for conversion to dwellinghouse.

It is of our opinion that prior approval should not be required in regard to the following, due to its sympathetic design:

1. Transport and Highways Impacts of the Development
2. Noise Impacts of the Development
3. Contamination Risk on the Site
4. Flooding Risk on the Site
5. Location/ siting of the building being impractical able or undesirable to change use from agriculture use to residential
6. The design and external appearance of the building
7. The provision of adequate light in all habitable rooms of the dwellinghouse