

## PLANNING STATEMENT

8th March 2024

**A REQUEST AS TO WHETHER PRIOR APPROVAL IS REQUIRED, AND IF IT IS, IF IT IS GIVEN, IN RESPECT OF THE CHANGE OF USE OF A BUILDING FROM AGRICULTURE TO A USE FALLING WITHIN CLASS C3 (DWELLING HOUSES) UNDER CLASS Q OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015**



### Pinfold Farm, Preston Road, Ribchester, PR3 3YD

Prepared by MacMarshalls Rural Chartered Surveyors & Planning Consultants  
On behalf of Mr A Davies

This report has been prepared for the client by MacMarshalls Ltd with all reasonable skill, care and diligence, based on the information provided by the client and research undertaken as outlined in this report. This report (or any part of it) must not be reproduced without prior written approval by MacMarshalls Ltd.

ALL PLANS IN THIS REPORT ARE FOR IDENTIFICATION PURPOSES ONLY AND ARE NOT TO SCALE



## CONTENTS

1.	Instructions	Page 3
2.	The Building and Proposed Development	Page 3
3.	The Previous Class Q Application (December 2020) & Challenge To The Reasons For Decision	Page 3
4.	Conformity with the GPDO	Page 8
6.	Highways, Noise, Contamination & Flooding	Page 11
7.	Conclusion	Page 15

**Appendix 1 - Decision notice and approved plans for appeal APP/Y1138/W/20/3244988**

**Appendix 2 - Decision notice and approved plans for appeal APP/W4705/W/20/3250397**

**Appendix 3 - Decision notice and approved plans for approval 10/19/1114**

**Appendix 4 - Decision notice and approved plans for approval 10/19/1175**



## 1. INSTRUCTIONS

- 1.1. MacMarshalls are instructed on behalf of Mr A Davies, herein referred to as the Applicants, to submit a request for prior approval for the change of use of a building and curtilage from a use as an agricultural building to a use falling within class C3 (dwelling Houses), under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The site is at Pinfold Farm, Preston Road, Ribchester, PR3 3YD.
- 1.2. This planning statement, including appendices, accompanies the submission to Ribble Valley Borough Council.
- 1.3. No pre application advice has been sought, however we are in receipt of the reasons for refusal within the last prior approval Class Q decision, which was then subsequently approved at appeal in August 2021 (APP/T2350/W/21/3274371).

## 2. THE BUILDING & PROPOSED DEVELOPMENT

- 2.1. The proposal is for the change of use of an agricultural building within the existing yard at Pinfold Farm. Up until March 2011, the building was used as part of Pinfold Farm's unit to house sheep and now they seek to change the use of the building for the applicant's family member to live in.
- 2.2. The building to be converted is a fully enclosed, detached steel portal framed barn. Its walls are constructed of concrete blocks to 1.5m high, clad in yorkshire boards. The front western elevation has a sliding steel door and the pitched roof is covered in concrete cement roof sheets.

## 3. CONFORMITY WITH THE GPDO

- 3.1 Exactly the same proposal was approved at appeal in August 2021 (APP/T2350/W/21/3274371). Nothing has changed since, nonetheless, the table below highlights how the proposed development conforms with the criteria of the GPDO.

<b>Criteria</b>	<b>Previously accepted by the LPA in the last Class Q application for the barn</b>	<b>Conformity</b>
(a) the site was not used solely for an agricultural use as part of an established	yes	The building was last in agricultural use as a sheep barn in March 2011.

<p>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;</p>		
<p>(b) in the case of – (i) a larger dwelling house, within an established unit (aa) the cumulative number of separate dwelling houses developed under Class Q exceeds 3; or (bb) The cumulative floor space of the existing building or buildings changing use to a larger dwelling house or dwelling houses under Class Q exceed 465 square metres;</p>	<p>yes</p>	<p>The application falls within a larger dwelling as its floor area is greater than 100m<sup>2</sup>. The actual floor space is 280m<sup>2</sup>.</p> <p>The change of use is only for one dwellings, being less than the 3 permitted.</p>
<p>(c) In the case of – (i) A smaller dwelling house, within an agricultural unit- (aa) The cumulative number of a separate smaller dwelling houses developed under Class Q exceeds 5; or bb) The floor space of any one separate smaller dwelling house having a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order exceeds 100 square metres.</p>	<p>yes</p>	<p>The application is not for a smaller dwelling house.</p>
<p>(e) The site is occupied by an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained</p>	<p>yes</p>	<p>The site is not occupied under an agricultural tenancy, the applicant and his family own the site.</p>
<p>(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 purposes of carrying out the development under Class</p>	<p>yes</p>	<p>N/A as the site is owned by the applicant and his family.</p>

<p>Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;</p>		
<p>(g) Development under Class A(a) or Class B(b) of part 6 of this schedule (agricultural buildings and operations) has been carried out on the established agricultural unit- (i) Since 20th March 2013; (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;</p>	<p>yes</p>	<p>No buildings have been erected on the unit since 20th March 2013.</p>
<p>(h) The development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at even given point;</p>	<p>yes</p>	<p>The elevation plans indicate that the proposed development would not result in any alterations extending beyond the external dimensions of the existing building at any given point.</p>
<p>(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 dwelling house; and (ii) Partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);</p>	<p>yes</p>	<p>The plans show the installation of windows and doors, and replacement roof and wall cladding. The building already has the benefit of mains electricity and water. A separate electricity and water supply is proposed for the dwelling. A septic tank/treatment plant will be installed within the proposed curtilage of the dwelling. Surface water will follow the route of the existing building, into an existing field drain that leads into the brook on the applicants land.</p> <p>Further, a structural report has been produced by Les Gooding Design Ltd, a qualified structural engineer (October 2020).</p>

		The report confirms the existing steel framework is in good condition, capable of supporting the conversion shown on the proposed elevation and floor layout plans. Major reconstruction will not be necessary and therefore, as previously confirmed by the LPA, the building is capable of class Q conversion under part Q.1 (i).
(j) the site is on article 2(3) land; (a) an area designated as a conservation area under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (designation of the conservation areas); (b) an area of outstanding natural beauty; (c) an area specified by the Secretary of State for the purposes of section 41 (3) of the Wildlife and Countryside Act 1981 (enhancement and protection of the natural beauty and amenity of the countryside); (d) the Broads; (e) a National Park; or (f) a World Heritage Site	yes	The site is located within any of these areas.
(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;	yes	The site is not located within any of these areas.
(l) the site is, or contains, a scheduled monument; or	yes	The agricultural building and its curtilage do not contain a scheduled monument
(m) the building is a listed building.	yes	The agricultural building and its curtilage do not contain a listed building.

#### 4. APPEAL ALLOWED - AUGUST 2021

- 4.1. This information was submitted as part of the appeal application in 2021 to address the reasons given by the planning officer for refusal (as stated above).

- 4.2. As a result, the appeal was allowed and prior approval was granted in August 2021, subject to the given conditions.
- 4.3. Since the time that this appeal was allowed, there has been no policy or legislative changes that impact this proposal, and the application has remained the same as the one that was allowed at appeal. Therefore this application should be approved in accordance with the submission.

## **5. HIGHWAYS, NOISE, CONTAMINATION, FLOODING, LOCATION, SITING & DESIGN**

### **5.1. Transport and highways impacts of the development**

- 5.1.1. The application will facilitate a change of use of an agricultural barn into a modest 4 bedroom dwelling. There is space to park 3 vehicles just off the access road to the front of the barn. This area is already in residential use as it is used as overflow parking for the existing dwellings, therefore it was not necessary to include it within this application.
- 5.1.2. The site will be accessed via the existing private roadway. The drive is used to access the surrounding dwellings and the agricultural yard. Traffic on and off site from one dwelling will not have an adverse impact on highways safety as it will not intensify use from its existing agricultural use.

### **5.2. Noise impacts of the development**

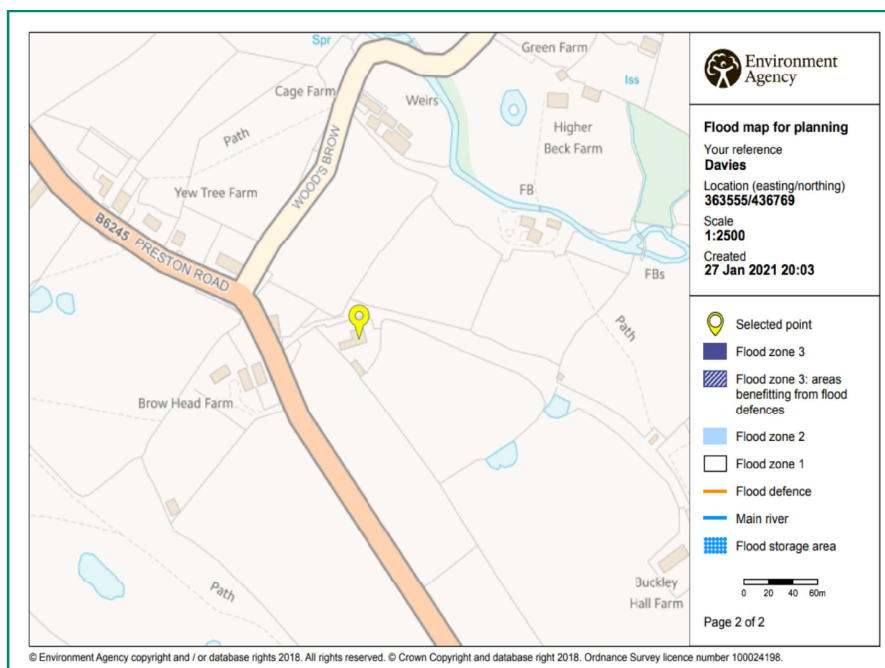
- 5.2.1. Residential use is essentially a quiet, especially compared to if the agricultural buildings were fully utilised as part of a busy working farm. Farm traffic can be noisy due to the size and unsocial working hours. The proposed use is consistent with the surrounding uses.

### **5.3. Contamination risks on the site**

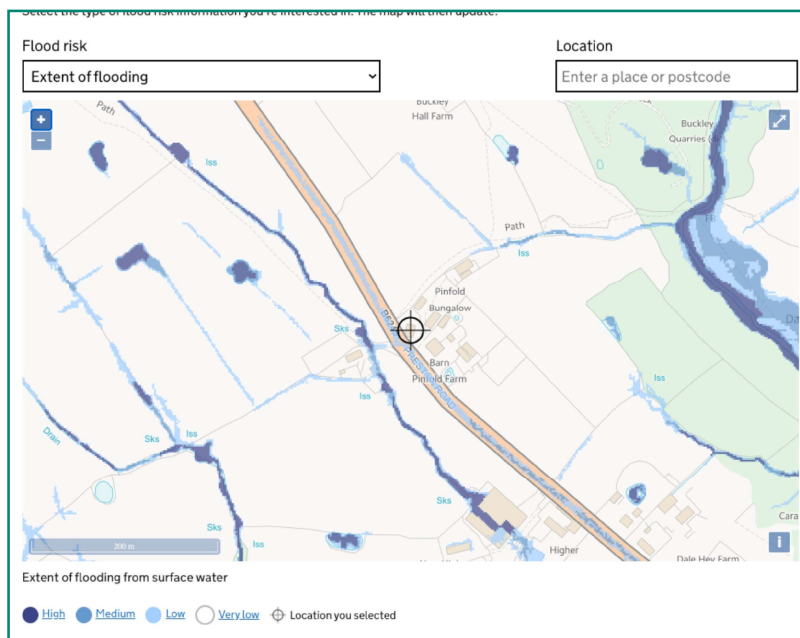
- 5.3.1. There are no contaminants in the building and due to the conversion, excavations will be minimal. Accordingly there are no risks.

### **5.4. Flooding risks on the site**

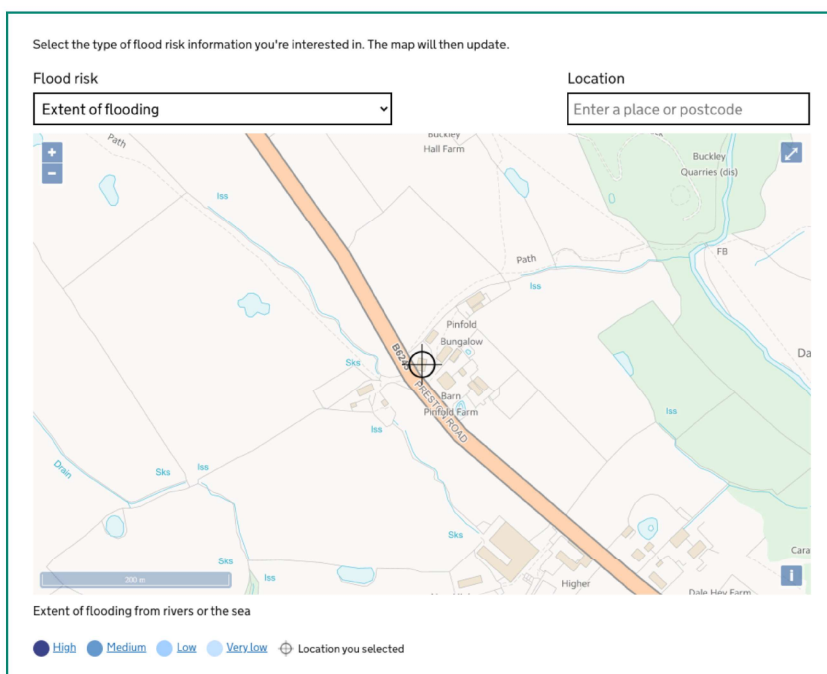
- 5.4.1. The flood risks on the site planning map obtained from the EA confirms the site is within flood zone 1, within an area at low risk of flooding. Due to the size of the proposal, a FRA is not required. Please see the extract below.



5.4.2. Flooding risks on the site from surface water - Planning map obtained from gov.uk confirms the site is at very low risk of flooding from surface water.



5.4.3. Flooding risks on the site from rivers and seas - Planning map obtained from gov.uk confirms the site is at very low risk of flooding from rivers and seas.



5.4.4. Accordingly, the site is at very low risk of flooding from all identified sources.

**5.5. Does the location or siting of the building make 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**

5.5.1. National Planning Practice Guidance states that permitted development rights do not apply a test in relation to sustainability of location. The building is not impractical or undesirable due to its positioning around existing dwellings and their shared access. It actually improves amenity for existing local residents. The pig shed is being demolished (intent shown by the submission of a prior notification application). Existing landscaping and properties screen the site from the road and closest dwellings. It is considered that the conversion would not result in a visually intrusive feature on the local landscape beyond that of the existing structures (there is an improvement with removal of the pig shed).

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

5.6.1. This was one of the LPA's reasons for refusal and has been extensively addressed in section 3 of this report. Based on the evidence and assessment presented it is considered that the design and external appearance of the proposal will not have an

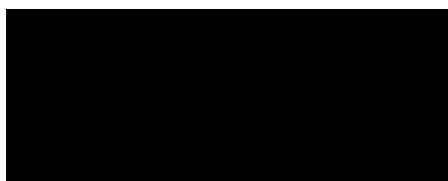
adverse impact on the character of the area and is consistent with similar approved class Q applications and appeals. Changes have also been made since the last submission last year.

- 5.6.2. The applicant has limited the use of glass to a minimum, whilst providing a quality living environment for future occupiers to ensure it is sympathetic to the surroundings.
- 5.6.3. Guidance by the English Heritage states that 'There is a balance to be struck between incorporating the practical requirements and protecting the special character and significance of the farm building and its setting'. The applicant has used natural material with timber and a lightweight roof covering to maintain the agricultural feel of the building, protecting its original built form.

## 6. CONCLUSION

- 6.1. It has been demonstrated that the building satisfies the requirements of Class Q (a) and (b) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 6.2. All three reasons for refusal given in the last class Q have been addressed and further evidenced, and the application had then been allowed at appeal as a result. The application has not been changed since then.
- 6.3. Accordingly, the application satisfies legislative criteria relevant to determine this application and it therefore should be determined that prior approval is given.

Signed:



08.03.24

**Produced & signed by: Sophie Marshall BSc (Hons) PGDipSurv MRICS MRTPI FAAV**

MacMarshalls Rural Chartered Surveyors & Planning Consultants

Hamill House

112-116 Chorley New Road

Bolton

BL1 4DH

NB: This report has been prepared on behalf of the applicants. All the details on the farming system and site activities have been supplied by the Applicant or from the Council's planning website.

Ref: C211 - 1 Supporting Statement V2 issued 08.03.2024