

Batcheller Monkhouse



**The Town and Country Planning
(General Permitted Development) Order 1995 as amended
Schedule 2, Part 3 Class Q
SI 2024 No 579**

**Application for a determination as to whether Prior
Approval is required for the change of use of a farm
building into a single dwelling house (C3) and the
associated minor operational works.**

at

**Broomhurst Farm, Lymminster Road, Lymminster,
West Sussex BN17 7QQ**

**On Behalf of:
Mr David Harriott**

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SECTIONS

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- 2 APPRAISAL**
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1 INTRODUCTION

- 1.1 The Applicant hereby requests the Local Planning Authority's prior approval to the change of use and associated minor works reasonably necessary to enable a farm building at Broomhurst Farm to function as a single dwelling house (C3).
- 1.2 The request is made pursuant to Class Q, Schedule 2, Class 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (The GPDO) as amended.
- 1.3 Broomhurst Farm is a significant arable and grassland farm of 470 freehold acres with an additional 1,000 acres held under various tenancy and grazing agreements.
- 1.4 The LPA's planning website records a number of planning applications at Broomhurst Farm to evidence the farm as a genuine farming unit. The most recent being planning permission granted for the erection of a steel framed storage barn (LY/4/20/PL) wherein the case officer reported that "*The proposalmeets the operational needs of agriculture. The application includes adequate justification to demonstrate that it is required for the operational needs of the farm. The site is in agricultural use and the building would be used for associated agricultural storage*".

2 APPRAISAL

- 2.1 Class Q to the Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2024 (SI 2024 No. 579) permits development consisting of:

(a) a change of use of:

- (i) a building that is part of an established agricultural unit and any land within that building's curtilage, or
- (ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage,

to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,

(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or

(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

2.2 This proposal qualifies under Class Q by virtue of the site being part of an established farming unit as evidenced by its extensive planning history. The proposal therefore falls to be considered under Class Q (a) and (c).

2.3 Q1 details situations where a development is not permitted. None of these apply for the reasons listed below:

- The proposed floor space does not exceed 150 square metres.
- The development is limited to a single dwelling.
- The site is not occupied under an agricultural tenancy.
- No development under Class A(a) or Class B(a) of Part 6 of the second schedule to the GPDO has been carried out within the last 10 years.
- No extension is to be provided to the building in question.
- The development is not sited on land covered by a hard surface.

- The development under Class Q(c) does not consist of building operations other than the installation or replacement of windows, doors, roofs, or exterior walls or water, drainage, electricity, gas or other services in excess of the extent reasonably necessary for the building to function as a dwellinghouse,
- The site is not on article 2(3) land.
- The site is neither, nor forms part of, a site of special scientific interest, a safety hazard area, a military explosives storage area, a scheduled monument or a listed building.
- The development accords with nationally described space standards.
- The building does have suitable existing access to the public highway.

2.4 Q2 obliges the LPA to determine whether prior approval is required in respect of the following:

- transport and highways impacts of the development,
- noise impacts of the development,
- contamination risks on the site,
- flooding risks on the site,
- 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 Schedule 1 to the Use Classes Order,
- the design or external appearance of the building, and
- the provision of adequate natural light in all habitable rooms of the dwellinghouses.

2.4.1 **Transport and Highways**

The residential unit would be accessed from the existing farm access from the Lyminster Road which serves the farm, the farmhouse, the farm buildings and the existing dwelling attached to the building in question.

The track is in good condition. Traffic movements generated by this proposal would be minimal in relation to current trip generation and would not create an unacceptable additional impact in terms of highway safety.

2.4.2 Noise impacts of the development

Given its setting within a significant range of farm buildings with associated noise from machinery and livestock and its attachment to an existing dwelling, the proposal will not create an unacceptable impact in terms of noise.

2.4.3 Contamination risks on site

This building has historically been variously used as a farm store and kennelling for the farm's working dogs.

The Applicant instructed Land Science to undertake an initial Phase 1 Contamination Assessment with a follow up Phase II Assessment which accompanies this application. The comprehensive investigations included hand excavating trial pits and chemical testing of selected soil samples in the field and laboratory.

The report concludes that there is a potential (but not actual) risk from residual Semi Volatile Organic Compounds and oils and recommends an upgraded Damp Proof Membrane and water supply network to remove that risk. At 9.8, Land Science concludes that implementation of their recommended measures will satisfactorily ensure that there are no contamination risks arising from this development. These measures will be included in the subsequent Building Regulations application.

2.4.4 **Flooding risks on site**

This location is confirmed as being within Flood Zone 1 on the Government's flood map for planning, meaning that it has a low probability of flooding from rivers and the sea.

2.4.5 **Otherwise impractical or undesirable**

The building is not in an unduly remote or isolated location. It is particularly suited to residential use, being attached to a similarly former agricultural building which is now residential. The dwelling was initially restricted by a planning condition requiring it to only accommodate seasonal workers. That restriction was removed under LY/7/10.

The proposal is desirable in that it comes forward at a time when the Government has committed to increase housebuilding nationally with encouragement for the re-use and redevelopment of existing buildings.

2.4.6 **Design or external appearance of the building**

This proposal is accompanied by a structural survey prepared by McCarey Simmonds which confirms that the building is structurally sound and capable of conversion within the scope of works permitted at Q1(c) by concluding that the existing brickwork barn is generally structurally sound and suitable for conversion. The only structural works required are minor brickwork repairs and, potentially, a small amount of underpinning both of which fall within the scope of being "reasonably necessary".

The conversion has been designed by local Architects who have produced a scheme that matches the adjoining dwelling and is appropriate to its surroundings.

The use of an appropriate damp proof membrane and pipework addresses the issues raised by Land Science. Windows and doors are to be of timber to match. Relatively little external work is required to enable the building to function as a residential unit.

2.4.7

Provision of adequate natural light in all habitable rooms

The Architect has included windows in both the walls and the roof to provide more than sufficient amounts of natural light into the dwelling.

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SUMMARY AND CONCLUSION

- 3.1 For the reasons detailed above, the change of use of this building to residential and the associated works necessary to function as a dwelling fully satisfies the specified criteria and conditions set out in Schedule 2, Part 3 Class Q of the Town and Country Planning (General Permitted Development) Order 1995, as amended by SI 2024 No 579.
- 3.2 The Local Planning Authority is requested to determine that prior approval is not required.

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November 2024