Application to determine if prior approval is required for a proposed: Change of Use of Buildings on Agricultural Units and former Agricultural Buildings to Dwellinghouses (Class C3), which may include extension of the building and/or building operations reasonably necessary for the conversion

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class Q

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Gables Nursery

Address Line 1

New Fen Drove

Address Line 2

Gedney Hill

Address Line 3

Lincolnshire

Town/city

Spalding

Postcode

PE12 0PY

Description of site location must be completed if postcode is not known:

Easting (x)

533065

Northing (y)

311667

Description

Applicant Details

Name/Company

Title

Mr

First name

Petrus

Surname

Geerlings

Company Name

G Geerlings and Son

Address

Address line 1

Two Hoots

Address line 2

New Fen Drove

Address line 3

Gedney Hill

Town/City

Spalding

County

Lincolnshire

Country

United Kingdom

Postcode

PE12 0PY

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Contact Details

Primary number

[redacted]

Secondary number

Fax number

Email address

[redacted]

Agent Details

Name/Company

Title

Mr

First name

Philip

Surname

Coyne

Company Name

PMC Land and Planning Limited

Address

Address line 1

98 Etwall Road

Address line 2

Hall Green

Address line 3

Town/City

Birmingham

County

West Midlands

Country

United Kingdom

Postcode

B28 0LE

Contact Details

Primary number

07952406935

Secondary number

Fax number

Email address

pmcoyne@outlook.com

Eligibility

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible. The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

This permitted development right was amended on 21 May 2024 to broaden the range of buildings that could be converted to dwellings, allow extensions to the building, and to increase the total number of dwellings from 5 to 10.

However, the right was also updated to:

- No longer permit the creation of any dwelling with a floorspace over 150 square metres (previously, 'larger' dwellings could be up to 465 square metres)
- Remove the eligibility of any building that does not have suitable existing access to a public highway (previously, this was not an eligibility requirement)

Proposals that do not meet the above criteria are temporarily allowed to use the previous version of the permitted development right, though this will mean you are not able to benefit from any of the amendments made.

Select the checkbox below if you wish to use the previous version. Otherwise you should continue through this application, which is based on the current legislation as amended.

☐ **I/We confirm that this application will use the permitted development right as it stood prior to 21 May 2024.** In confirming this, I/we understand that:
• The application must be received by the local authority by 20 May 2025 (the payment process on Planning Portal must be completed before the application will be submitted).
• The supplementary information template covering the pre-21 May 2024 eligibility criteria and information requirements must be downloaded, completed and attached as a supporting document.
• Failure to do either of the above could result in application being refused without the fee being refunded.

Is the site currently part of an established agricultural unit?

◉ Yes
○ No

Was the site part of an established agricultural unit on 24 July 2023?

◉ Yes
○ No

Has any work under the permitted development rights for the erection, extension or alteration of a building reasonably necessary for the purposes of agriculture been carried out on the agricultural unit during the 10 year period before development begins?

◯ Yes
⊘ No

Will the external dimensions of the resulting building(s) extend beyond the existing building(s) at any point, other than:
• as a result of any permitted extension to the building under this permitted development right; or
• by more than 0.2 metres as a result of any permitted building work or other operations under this permitted development right.

◯ Yes
⊘ No

Will any proposed extension:
• be more than 1 storey;
• be sited anywhere other than the rear of existing building;
• extend beyond the rear wall of existing building by more than 4 metres;
• extend beyond side or principal elevations of the existing building;
• create eaves higher than the height of the current building's eaves;
• be higher than the highest part of the roof of the existing building, or exceed 4 metres in height;
• be on land that is not already covered by a hard surface, with that hard surface having existed on or before 24th July 2023 or, where the hard surface was provided after 24th July 2023, has been in place for at least 10 years before development begins.

◯ Yes
⊘ No / No extension proposed

Does the new building have suitable access to a public highway?

⊘ Yes
◯ No

Is the existing building (including any permitted building work or other operations, but excluding any proposed extension), capable of complying with the nationally described space standard?

⊘ Yes
◯ No

NOTE: Please note: Any new dwellinghouse will only be eligible for permitted development rights if it has a gross internal floor area of at least 37 square metres, and complies with the nationally described space standard.

Is any part of the land, site or building:
• in a conservation area;
• in an area of outstanding natural beauty;
• in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
• in the Broads;
• in a National Park;
• in a World Heritage Site;
• in a site of special scientific interest;
• in a safety hazard area;
• in a military explosives storage area;
• a scheduled monument (or the site contains one);
• a listed building (or within the curtilage of a listed building)

◯ Yes
⊘ No

Agricultural tenants

To be eligible for this permitted development right, all parties to any agricultural tenancy agreements that are currently in place, or that have been terminated in the year before development is proposed to begin, need to provide consent.

This is to help ensure that agricultural tenants are not displaced to allow a change of use to be carried out.

Is the site currently occupied under any agricultural tenancy agreements?

◯ Yes
⊘ No

Have any agricultural tenancy agreements been terminated in the year before development is proposed to begin for the purpose of carrying out the proposed change of use?

◯ Yes
⊘ No

Dwellinghouses and floor space

This permitted development right was amended on 21 May 2024 to broaden the range of buildings that could be converted to dwellings, allow extensions to the building, and to increase the total number of dwellings from 5 to 10.
However, the right was also updated to:

- No longer permit the creation of any dwelling with a floorspace over 150 square metres (previously, 'larger' dwellings could be up to 465 square metres)
- Remove the eligibility of any building that does not have suitable existing access to a public highway (previously, this was not an eligibility requirement)

Proposals that do not meet the above criteria are temporarily allowed to use the previous version of the permitted development right, though this will mean you are not able to benefit from any of the amendments made.

If you wish to use the previous version, please return to the 'Eligibility' question and select the option at the top of that question to do so. Otherwise you should continue through this application, which is based on the current legislation.

To be eligible for this permitted development right, the number and size of dwellinghouses developed has to be within the limits set by legislation. This includes any dwellinghouses that were previously developed under this permitted development right.

- No more than a total of 10 dwellinghouses can be developed;
- The floorspace of any single dwellinghouse developed cannot exceed 150 square metres;
- The cumulative floor space of all the dwellinghouses developed cannot exceed 1,000 square metres.

What will be the net increase in dwellinghouses?

1

NOTE: This figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses on the site immediately prior to the development.

Would the floorspace of any of the proposed dwellinghouses exceed 150 square metres?

◯ Yes
⊘ No

Previous development

How many dwellinghouses have previously been created under this permitted development right on this established/former agricultural unit?

0

Cumulative floor space

What would be the total combined floor space (previously and in this proposal) changed to Dwellinghouses under this permitted development right on this established/former agricultural unit?

149.8 | Square metres

Description of Proposed Works, Impacts and Risks

Please describe the proposed development, including the siting and location of the building(s)

The development proposed is for the conversion of an existing agricultural barn building to form a new dwellinghouse. The subject building is located within the curtilage of The New Gables Nursery and is in sound structural condition (see photographs in attached planning statement). The building has an open aspect to the east, looking onto arable fields, and has adequate space immediately around it to accommodate parking and servicing.The building also benefits from a long established access to New Fen Drove and there are no other domestic buildings within the immediate proximity whereby nuisance or conflict is likely to arise.
The purpose of the conversion is for succession in the management of the farm, and the dwelling proposed would be occupied by the applicants son and daughter in law as they prepare to take over the day to day running of the business.

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses

There are indicative elevations included with this application which show that the proposed design includes a significant level of glazing which will ensure that there is adequate light to all habitable rooms.

Will the building(s) be extended as part of the proposed development

- [x] Yes
- [ ] No

NOTE: If using the transitional provision to benefit from the permitted development rights as they stood prior to 21 May 2024, then extensions are not permitted, and you should answer 'No'.

If yes, please provide details of any impact of the proposed extension on the amenity of any adjoining premises:

In line with Class Q guidance, the proposed extension will be single storey, built on an existing hardstanding, less than 4 metres and at the rear of the building to be converted. There is no scope for the proposed extension to impact on the amenity of adjoining premises as it looks out onto arable fields.

Are any associated building works or other operations required to make this change?

Note that such works are restricted to those listed below that are reasonably necessary to convert the building(s) for use as a dwellinghouse:
• the installation or replacement of windows, doors, roofs, or exterior walls;
• the installation or replacement of water, drainage, electricity, gas or other services;
• partial demolition to the extent reasonably necessary to carry out the works listed above.

- [x] Yes
- [ ] No

If yes, please provide details of the design and external appearance of the building(s) in regard to these building works or other operations:

Indicative layout plans and elevations are included with this application. However, given that the applicant is the owner of the farm, and the conversion will be home to his son and daughter in law, the family will ensure that the design and materials used as part of the conversion are high quality, reflective of and complementary to the local vernacular and will blend into the local landscape.

Please provide details of any transport and highways impacts and how these will be mitigated:

As shown in the Design and Access Statement which accompanies this application, access to the proposed dwelling is via an established link with New Fen Drove which has provided access to the existing barn, the flower nurseries and the arable land since at least 1963.

Please provide details of any noise impacts and how these will be mitigated:

Given the location of the existing barn and its proposed change of use from storage of agricultural equipment and other machinery to a domestic dwelling, there will be no adverse noise impacts arising from this application.

Please provide details of any contamination risks and how these will be mitigated:

There is no evidence or record of materials or chemicals being stored in the building which would have the potential to cause contamination. Equally, the surrounding land uses and landform are such that it is very unlikely that the site has impacted by leachates of any kind.

Please provide details of any flooding risks and how these will be mitigated.

A flood risk assessment should accompany the application where the site:

• is in Flood Zones 2 or 3; or

• is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).

Check if your site location is in Flood Zone 2 or 3 online.

Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

The site is in Flood Zone 1 and there is no history of flooding.

Declaration

I/We hereby apply for Prior Approval: Change of use - agricultural (or former agricultural) buildings to dwellinghouses as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Philip Coyne

Date

15/08/2024