

Agricultural building at Lynn House Mill Lane Sutton St James PE12 0EJ

Prior approval application for conversion of a barn to a flexible commercial use per GPDO 2015 Schedule 2 Part 3 Class R

Introduction

In accordance with Schedule 2, Part 3, paragraph R.1a of the GPDO 2015 as amended, planning permission is granted for development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to flexible uses falling within certain parameters which include Class B8 (storage or distribution) and Class E (commercial business or service). This is subject to the specified limitations and conditions.

The developer's address is the same as the site address above; he lives in the "house" with his family. The site is the rear agricultural building edged red ('barn').

The developer asks the LPA to deal with his agent in this case.

The proposal is to use the barn as a workshop. The developer operates a small engineering company specialising in the installation, repair and maintenance of high pressure mechanical systems within various specialised industries such as power stations. A large part of that work includes the replacement and service of equipment at customer sites throughout the country. However, he also fabricates specific components, currently carried out at a workshop located in Fleet Road industrial estate on the outskirts of Holbeach, approximately 7 miles from the application site. That workshop is the largest unit on that estate and has proved too small and no mezzanine is possible. The barn will be one-third larger and later might (subject to all necessary approvals) have a mezzanine, so it will future proof the business. There is also the applicant's daily commute, wasteful, causing unnecessary emissions. Using the barn as a flexible workshop will maximises time/efficiency and minimize emissions.

It is necessary to demonstrate that on the relevant date this building was solely used for an agricultural purpose, but there is no requirement for the site to be in agricultural use immediately before the change of use is undertaken.

Previously, the council in determining case H20-1148-25 acknowledged that this barn had been in use for agricultural purposes¹. It is a truism that agriculture is the default planning land use in England unless there is good reason to cast doubt.

Agriculture is defined by s336 of the Act and includes a wide spectrum of uses and Schedule 2, Part 3 paragraph X further sets out that for the purposes of Part 3, permitted development rights exclude a dwellinghouse and includes a building in or last used for agricultural trade or business. The agricultural use for the purposes of Class R must be on before 3 July 2012, or for 10 years before the date the proposed development begins.

Facts

In this case the conditions are both satisfied as the previous owner (David Chapman) sold the land to the applicant in 2025 (also offering the 6 acres immediately adjacent which had been farmed – not acquired); his primary business was serving the agricultural industry as a farm contractor, being an owner/driver of tractor born implements he provided e.g. sowing crops (drills) preparing ground

¹ Page 5 of the assessment report

(harrows) tending crops (sprayers) to farm and grow/harvest crops. Judging by the sales catalogue when he sold up, his business conducted from the barn on the site was primarily for local farmers – see **attached** sales detail. His use was for far in excess of 10 years, lasting until his retirement, having purchased all the land in the title on 31 January 1968.

The evidence accompanying this application includes not just the sales catalogue but also **a letter from the postman** which demonstrates, on the balance of probability, that the council's view last year was correct. This land is qualifying for the purposes of agriculture.

Whilst the H20-1148-25 case officer did not advise this application be made in any detail, he understood that to overcome the "in principle" objection to change from agriculture to a flexible commercial use, that might be achieved by virtue of first securing Class R consent, as this bypasses all policy considerations.

Plans are enclosed showing the proposed operations reasonably necessary to facilitate the change of use. They are essentially the same plans as H20-1148-25 but amended to suit. A structural report is not needed as the plans demonstrate how the existing structure will be sufficient, strong enough to be altered, the work would not constitute rebuilding as its frame is RSJs, plus the council had already inspected and expressed no concern about this steel portal clad structure, which is obviously convertible by dint of replacing cladding with new, plus doors etc.

Conclusion

On the basis outline above, coupled with the evidence attached, Class R approval can be given.