

PLANNING STATEMENT

The Farrowing House

College Farm
Wendlebury
Bicester
OX25 2PR

APPLICATION FOR PRIOR APPROVAL UNDER CLASS R

for Change of Use of former pig farrowing building to C1 (Bed & Breakfast Use).

Proposal: Change of Use of the existing Agricultural Building to a flexible commercial use falling within Class C1.

Site: Part of College Farm, Wendlebury, Bicester, OX25 2PR

Contents:

1. Introduction	1
2. Planning History	1
3. Legislative Provisions	
(Extract of GPDO 2015 as amended 2018)	2
4. Paragraph R1 Requirements	4
5. Paragraph R3 Requirements	5

1 Introduction

This report accompanies an application for prior approval under Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 3 (as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018) for the change of use as an agricultural building (known as The Farrowing House) which has a single storey footprint of 191sqm, at College Farm, Wendlebury, to a flexible use falling within Class C1. The nature of the C1 use proposed is to form 2no. Bed and Breakfast units, one 2 bed unit and one 1 bed unit, totalling 191sqm.

2 Planning History

This building was constructed in 1965 and was used as accommodation for farrowing pigs until 1984. Since 1987 up unto the present day it has been used for the storage of farm machinery, tools and feedstuffs.

3 Legislative Provisions

This section, in italics, is an extract from The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018, sourced at <http://www.legislation.gov.uk>. The provision of information required is found in Section 4, below, on page 4.

Permitted development

R. Development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use falling within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class B1 (business), Class B8 (storage or distribution), Class C1 (hotels) or Class D2 (assembly and leisure) of the Schedule to the Use Classes Order.

Development not permitted

R.1. Development is not permitted by Class R if—

- (a) the building was not used solely for an agricultural use as part of an established agricultural unit—
 - i) on 3rd July 2012;*
 - 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 building which was brought into use after 3rd July 2012, for a period of at least 10 years before the date development under Class R begins;**
- (b) the cumulative floor space of buildings which have changed use under Class R within an established agricultural unit exceeds 500 square metres;*
- (c) the site is, or forms part of, a military explosives storage area;*
- (d) the site is, or forms part of, a safety hazard area; or*
- (e) the building is a listed building or a scheduled monument.*

Conditions

R.2. Development is permitted by Class R subject to the following conditions—

- (a) a site which has changed use under Class R may, subject to paragraph R.3, subsequently change use to another use falling within one of the use classes comprising the flexible use;*
- (b) for the purposes of the Use Classes Order and this Order, after a site has changed use under Class R the site is to be treated as having a sui generis use;*
- (c) after a site has changed use under Class R, the planning permissions granted by Class G of Part 7 of this Schedule apply to the building, subject to the following modifications—
 - i) “curtilage” has the meaning given in paragraph X (interpretation) of this Part;*
 - ii) any reference to “office building” is to be read as a reference to the building which has changed use under Class R.**

R.3.—(1) Before changing the use of the site under Class R, and before any subsequent change of use to another use falling within one of the use classes comprising the flexible use, the developer must—

(a) where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit does not exceed 150 square metres, provide the following information to the local planning authority—

- i) the date the site will begin to be used for any of the flexible uses;
- ii) the nature of the use or uses; and
- iii) a plan indicating the site and which buildings have changed use;

(b) where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit exceeds 150 square metres, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- i) transport and highways impacts of the development;
- ii) noise impacts of the development;
- iii) contamination risks on the site; and
- iv) flooding risks on the site,

and the provisions of paragraph W (prior approval) apply in relation to that application.

(2) Subject to sub-paragraph (3), development under Class R of the type described in paragraph R.3(1)(b) must begin within a period of 3 years starting with the prior approval date.

(3) Where, in relation to a particular development under Class R of the type described in paragraph R.3(1)(b), planning permission is granted on an application in respect of associated operational development before the end of the period referred to in sub-paragraph (2), then development under Class R must begin within the period of 3 years starting with the date that planning permission is granted.

(4) For the purposes of sub-paragraph (3), “associated operational development” means building or other operations in relation to the same building or land which are reasonably necessary to use the building or land for the use proposed under Class R.

Interpretation of Class R

R.4. For the purposes of Class R, “flexible use” means use of any building or land for a use falling within the list of uses set out in Class R and change of use (in accordance with Class R) between any use in that list.

(End of extract)

4 Paragraph R1 Requirements

Para R1 Requirements:

In relation to the Paragraph R1 requirements, we provide the following information for clarification with regard to the building which is the subject of this application, which shows that the building is eligible for change of use under the permitted development regulations:

- (a) On the 3rd July 2012 the site was used solely for an agricultural use as part of the established agricultural unit, since 1965, and this continues to the present day.
- (b) No other buildings on this agricultural unit have had a change of use under Class R. (Note application no. 18/01089/Q56 for the adjacent building.)
- (c) The site does not form part of a military explosives storage area,
- (d) The site does not form part of a safety hazard area,
- (e) The site/building is not a listed building or a scheduled monument.

5 Paragraph R3 Requirements

Para R3 Requirements:

In relation to the Paragraph R2 requirements, we provide the following information for clarification with regard to the building which is the subject of this application, which shows that the building is eligible for change of use under the permitted development regulations:

Para R3 -(1)

- (a) i) The site will begin to be used for the flexible uses within 3years of this application being determined,
 - ii) The nature of the intended use is to provide 2no. Bed and Breakfast units (1no. 2 bed and 1no. 1 bed), as would typically fall within Use Class C1.
 - iii) The attached plan, no. 18.183.01, illustrates the site and the building which has the change of use.
- (b) i) Transport and highways impact of the development

The site has a good access to the public highway via the existing established farm drive, which is suitable for the proposed C1 use.

No highway safety problems would be caused.

The building is to be converted into 2no. B&B units (1no. 1bed and 1no. 2bed).

There is ample parking on site immediately adjacent to the building. Three spaces have been annotated on the proposal drawing, clearly more could be provided within the proposed curtilage if required to do so.

ii) Noise impacts of the development

The proposed development would have no noise impact on any residential neighbour, some 350m to the closest house off the farm. The impact of noise upon, or from, the existing farm building would be negligible, it is broadly similar in position and context to the existing farmhouse, Larkhill Cottage, approximately 20m to the west. The existing neighbouring farm building is a lambing shed.

iii) Contamination risks on the site

There is no record of any contamination risk. The existing roofing sheets are fibre cement that may contain some asbestos, but these will be carefully removed and disposed of in an appropriate manner. See attached Sensitive Use Questionnaire.

iv) Flooding risks on the site

The site is in the EA flood zone 1, which is not at risk of flooding, and will be neutral in terms of runoff.

Para R3 – (2)

The development under Class R, as described in paragraph R3(1)(b) will have begun within a period of 3years starting with the prior approval date.

Para R3 – (3)

Where in relation to a development under Class R, as described in paragraph R3(1)(b), planning permission is granted on an application in respect of associated operational development before the end of the period referred to in sub-paragraph (2), then the development under Class R will begin within a period of 3years starting with the date that planning permission is granted.

Note: this Planning Statement is to be read in conjunction with the Design and Access Statement and project drawings listed within it.