

Supplementary Planning Statement prepared in response to officer comments for the

Prior Notice Application for the change of use and associated operational development required to change an agricultural building into 1 single dwelling at

344 Bradley Fold Road

Radcliffe

BL2 6RL

Following a joint site visit the Local Planning Authority (LPA) have stated that further evidence is required to justify that this site forms an Agricultural Unit, the reason for further evidence is to ensure that the owner has the relevant permitted development rights as an agricultural land holder.

And

That additional construction drawings should be provided to evidence that any additional works are all internal works.

(a) Former Use

the site was used solely for an agricultural use as part of an established 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

Has the requirement been met - Yes, the site was used as part of a wider agricultural farm until recently. It is no longer required for this use and the building is now redundant.

(g)Physical Development

the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

No. The proposed conversion can be achieved without the building being extended beyond the existing external dimensions.

The original planning statement confirmed that the site formed part of an agricultural unit and the additional evidence provided should confirm that the owner benefits from these development rights.

Details of further evidence

- Signed statement from the adjoining landowner Mr Speakman that this site was used by Mr Frank Barns for the purposes of keeping Cattle, Sheep and Poultry.
- A copy of the original deed of sale stating that the land must only be used for agricultural purposes.
- A copy of the valuation required as part of the Probate Process stating that the Holding includes a residential dwelling, agricultural land, and agricultural buildings.
- Photographic evidence of animals being kept on the land and building
- Additional construction details.

During the site visit it was suggested that there wasn't much agricultural activity taking place on the Land, and on that basis the LPA did not believe the site was an agricultural holding.

We don't believe this argument carries any weight for the following reasons

1- The cyclical nature of agricultural activities

Agricultural activities are cyclical, dependant on the land use, type of agricultural activity and relative intensity some units can look particularly active, other rather sedate.

This is the case with 344 Bradley Fold Road, current activities are rather sedate, Mr F Jones reduced his activities on the land due to ill health and unfortunately is no longer with us, this does not prove that activities are not taking place.

Once Legal matters surrounding Mr Jones estate have been resolved the new owner can intensify their use of the land along with relevant farming activities.

In addition to this, we put forward a sworn statement from the adjacent landowner confirming the activities of Mr F Jones and confirming that the land is currently farmed as part of a gentleman's agreement whilst Legal matters are resolved.

Mr Speakman, owner of the adjacent farmland confirms that he uses the land for grazing cattle and topping grass for silage. (Please see Appendix 1)

2- The Town and Country Planning act Definition of Agriculture

The planning definition of Agriculture

Section 336 of the [Town and Country Planning Act 1990](#) defines 'agriculture' as including:

- 'horticulture, fruit growing, seed growing, dairy farming;
- the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land);
- the use of land as grazing land, meadow land, osier land, market gardens or nursery grounds; and
- the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.'

Low intensity uses, such as grazing, and meadow land are still acceptable forms of agriculture for the purposes of the Town and Country Planning Act.

3- The purpose of the Permitted Development Rights in this case

The purpose of the legislation is to allow for simplified diversification due to the unpredictable nature of farming and agricultural activities and since its inception has been amended further to allow for increased numbers of potential residential units.

The change in legislation allowing for the conversion of these types of buildings was brought in to assist with the ever changing and unpredictable economics of these types of activities and as such it is to be expected that applications will be submitted by landowners that don't appear to be carrying out intensive activities, the economics of the business do not form grounds for refusal.

We also submit the following photographic evidence (please see attached documents)

Photo showing sign advertising farm produce for sale

Photo taken from garden showing cattle in the field

Photo showing sheep in the field over winter

Photo showing cattle in the field prior to construction of the agricultural building

Photo showing sheep in the field

Photo showing grass cut for silage

Photo showing poultry in the agricultural building

Google earth photo showing poultry in the field

Additional Construction Details

Please see attached Drawing showing Existing and Proposed Section Through.

We also confirm that any additional loads implied on the building will be supported by the existing structure and new internal walls.

We trust you find this additional information sufficient.

Kind Regards

Steven Leach