

Planning Statement prepared in support of

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



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Summary

This application is made under Schedule 2, part 3, class Q of the Town and Country Planning (General Permitted Development) Order 1995, (as amended). It concerns the change of use of an agricultural building and associated operational development to form 1 dwelling with associated amenity space

The agricultural building was used exclusively on the 20 March 2013 for agricultural purposes in association with the adjacent Unit Coggra Fold House, The building was approved by bury council in 2005 for use as an agricultural building in line with agricultural activities on the site – application number 44693

The building is now redundant and therefore conversion to a residential unit is the most practical way forward.

Section 2 - Requirements Relating to Prior Approval

(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.

(b) Floor Area

the cumulative floor space of the existing building or buildings changing use to a larger dwelling house or dwelling houses under Class Q exceeds 450 square metres;

Not applicable to this application

(c) Floor Area

the cumulative number of separate smaller dwelling houses developed under Class Q exceeds 3;

Has the requirement been met – Yes The development will create only 1 unit and the internal floor space will be 55 sqm

(d) Agricultural Tenancy

the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

The site is not subject to an agricultural tenancy

(e) Agricultural Tenancy

less than 1 year before the date development begins—

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q,

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use

The site is not subject to an agricultural tenancy

(f) development under Class A(a) or Class B(a)

development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit:

(i) since 20th March 2013; or

(ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

No such works have taken place

(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.

(h)Physical Development

the development under Class Q (together with any previous development under Class Q) would result in a building or buildings having more than 450 square metres of floor space having a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order;

No – the total footprint is 63 sqm

(i) Physical Operations

the development under Class Q(b) would consist of building operations other than the installation or replacement of:

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwelling house; and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);

No other building operations or demolition are proposed.

(j) Land Use

(j) the site is on article 2(3) land;

The land is not on article 2 (3) land.

(k) Land Use

the site is, or forms part of:

- (i) a site of special scientific interest;
- (ii) a safety hazard area;
- (iii) a military explosives storage area;

No

(l) Land Use

the site is, or contains, a scheduled monument;

No

(m) Listed Buildings

the building is a listed building.

No

Section 3 – Conditions relating to development

(1) Where the development proposed is development under Class Q:

(a) together with development under Class Q

(b) development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

(a) transport and highways impact of the development

(b) noise impacts of the development;

(c) contamination risks on the site

(d) flooding risks on the site;

(e) 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 (dwelling houses) of the Schedule to the Use Classes Order; and

(f) the design or external appearance of the building, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Please see Appendix Plans And Drawing

(2) Where the development proposed is development under Class Q(a) only, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the items referred to in sub-paragraphs (1)(a) to (e) and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

This has been fulfilled by the submission of this application

(3) Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.

This condition is noted

3. CONDITIONS

Transport and Highways

3.1. The vehicular access to the existing building is via an unadopted single track drive leading from Bradley fold Road and benefitting from an existing dropped kerb, the track is bounded by a low rise post fence offering good visibility on to Bradley fold road.

The distance from the proposed dwelling to Bradley Fold Road is approximately 60m

The domestic use of this track and access would not significantly increase vehicle movements and as such would not cause any increased risk or harm to other road users or the occupier.

Although appearing to be a semi-rural location, the area is well served by local employment in the form of Bradley Fold Trading Estate, there are good public transport access routes into Radcliffe Town Centre and beyond into Bury or Bolton

Noise

3.2. The adjacent buildings are Residential, the proposed development would not cause any additional impacts in relation to noise.

Ground Conditions

3.3. The barn was built in an open field away from the principle farm building and yard, the building has not been subject to heavy industrial processes, the building has been used for light storage of materials, animal feed and tack.

Flood Risk

3.4. The site is in Flood Zone 1, which is at a low risk of flooding.

Location and Siting

3.5. The location and siting of the building offer the chance to undertake a practical and desirable change of use from agricultural to a dwelling house.

The wider site already serves an existing dwelling. A residential use within the barn would be in keeping with the surrounding residential buildings.

Design and External Appearance

3.6 The design and external appearance of the building will be preserved and the proposed change to a residential use would not cause a material change in its appearance or character.

3.7. The windows, doors, roof and exterior walls proposed are reasonably necessary to enable the conversion of the barn into a single dwelling.

3.8 The proposal is to provide a limited curtilage equal to or less than the footprint of the building in accordance with the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

3.9 All habitable rooms have the benefit of natural daylight and ventilation

4. CONCLUSION

4.1. The proposed conversion of the redundant barn at 344 Bradley Fold Road Radcliffe as submitted meets the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

4.2. They also meet the Conditions incorporated within the regulations. Specifically, there are no limitations in terms of highways, noise, ground conditions, flood risk, location and setting that preclude the conversion of the outbuildings to residential use.

4.3. The proposal brings a suitable residential use to a building that no longer serves a function, bringing additional residential units into use through the benefit of conversion affords with local planning policies, and the national drive to enable the reuse of suitable buildings to boost the supply and choice of homes.

Supplementary Planning Statement prepared in response to officer comments for the

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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

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(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