



PETER GEORGE TOWN PLANNING

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Development & Conservation
North Hertfordshire District Council
Council Offices
Gernon Road
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SG6 3JF

Dear Sir/Madam,

Hall Barn, Ashwell Road, Newnham, Baldock, SG7 5JX

Prior Approval Notification - Class R: change of use of two bays of existing agricultural barn to Class E(g) (iii) with associated parking area

Introduction

We are instructed by A.E. & W.A Farr Limited to submit an application for prior approval for the change of use of two bays of an existing agricultural barn to form two class E(g) units.

The application submission contains:

- Planning Drawings Ref. AF01-AF04
- Preliminary Roost Assessment
- Duly signed and completed application form.
- Fee of £340

The Application Site

The application site comprises a modern agricultural barn known as Hall Barn. It is located to the north-west side of Ashwell Road set against a number of other existing small barns



located in the vicinity. This includes the roadside barn which is regarded by the Council as a Building of Local Interest. The roadside barn is in the Newnham Conservation Area, but the modern barn and the remainder of the wider farmyard is outside of the Conservation Area.

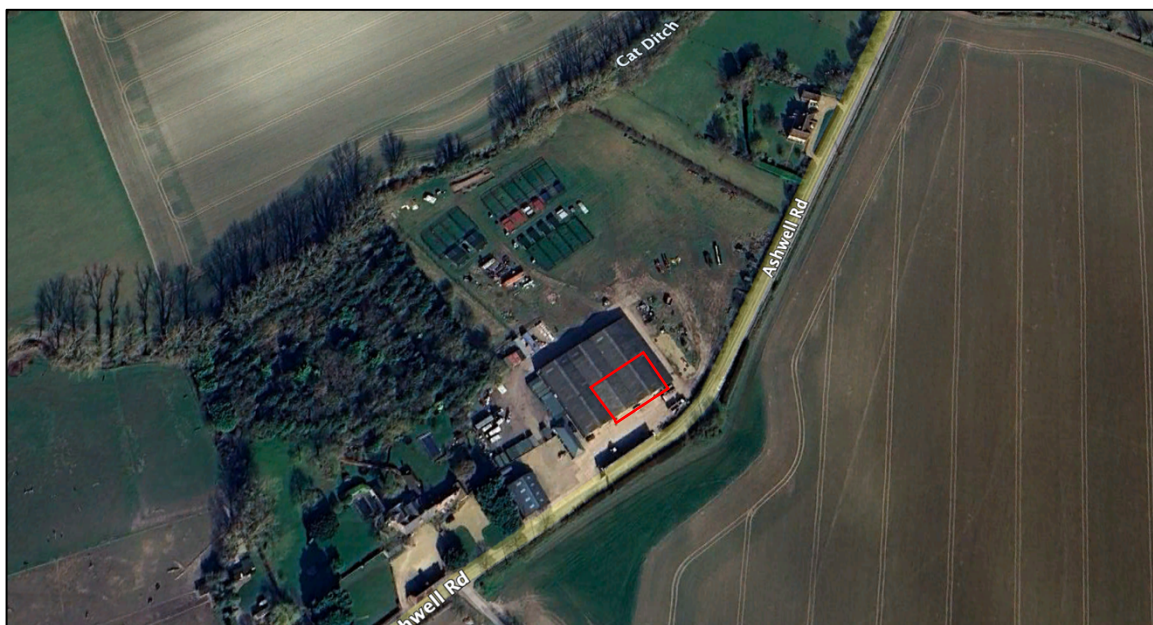


Figure 1 - The Application Site

The site has a single vehicular access point from Ashwell Road. Ashwell Road is a classified C road which has a 30mph speed limit at this point.

The site is located within Flood Zone 1 and is situated in an area at a low risk of flooding from surface water flooding.

The Proposed Development

The proposed development involves the conversion of two bays of the existing barn to form two light industrial units (Class E (g) (iii)). Each unit has a gross internal area of approximately 365m² (730m² in total). No external alterations are proposed as part of the proposal.

Compliance with the Requirements & Conditions of Class R

Permitted Development



Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (hereafter referred to as 'The Order') sets out that, subject to certain requirements and conditions being met, the following would be 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—

(a) falling within one of the following provisions of the Use Classes Order—

(i) Class B2 (general industrial) of Schedule 1;

(ii) Class B8 (storage or distribution) of Schedule 1;

(iii) Class C1 (hotels) of Schedule 1;

(iv) Class E (commercial, business or service) of Schedule 2; or

(v) Class F.2(c) (outdoor sport or recreation) of Schedule 2; or

(b) for the provision of agricultural training.]

Requirements

Part R.1 of The Order sets out the terms under which development is permitted. Each is addressed in turn below.

	Criteria of R.1	Compliance
R.1 (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;	Compliant
	Commentary: The building was in use for agriculture as part of an established agricultural unit on 3rd July 2012 for the storage of agricultural machinery and other agricultural storage.	
R.1 (b)	the cumulative floor space of buildings which have changed use under Class R within an established agricultural unit exceeds 1,000 square metres];	Compliant
	Commentary: The proposed change of use would come to a total of 730m². No previous change of use under Class R has been carried out on the agricultural unit.	
R.1 (c)	the site is, or forms part of, a military explosives storage area;	Compliant



	Commentary: The site is not nor does it form part of a military explosive's storage area	
R.1 (d)	the site is, or forms part of, a safety hazard area;	Compliant
	Commentary: The site is not nor does it form part of a safety hazard area	
R.1 (e)	the building is a listed building or a scheduled monument.	Compliant
	Commentary: The building is not a listed building or a scheduled monument	

Conditions

Part R.3 of The Order states that, 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, which would be the case here, it is necessary to 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.

Each is addressed in turn.

A) Transport and Highways Impacts

Commentary: The site is located at the eastern end of Newnham within the main part of the village. The site benefits from an existing vehicular access from/onto Ashwell Road which leads to the main farmyard which is laid to hardstanding for much of the area immediately to the front, side and rear of the barn.

The proposed use would operate on a relatively small scale with only 2-3 members of staff and a limited number of vehicle movements associated with occasional deliveries and collections. The use would not generate significant levels of customer traffic and is therefore unlikely to result in materially greater traffic generation than could reasonably arise from the lawful agricultural use of the site, which itself could involve regular vehicle movements associated with agricultural operations, deliveries and servicing. Accordingly, it is considered that the proposed development would not have an



unacceptable impact upon highway safety, the character of the surrounding road network, or the safe and free flow of traffic.

A small area for parking is proposed to the front of the two units. Together with other existing areas for parking within the wider farmyard, this would be sufficient to serve the proposed units.

B) Noise Impacts

Commentary: Class E (g) (iii) is described as permitting *“any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.”*

By definition therefore it is inherently the case that any use permitted under this section of the Use Classes Order would not give rise to any harmful impacts in terms of noise.

Moreover, the site the nearest residential properties are the two properties at Newnham Hall, which are located some 70m from the barn at its nearest point, and The White House which is located some 155m to the north-east of the site. Given the distances involved, it is unlikely that the proposed use of the two units for Class E (g) (iii) would cause any harm from a noise perspective.

C) Contamination Risks

Commentary: Given the nature of the proposed change of use, it is not considered that there would be any contamination risks associated with the proposed change of use.

D) Flooding Risks

Commentary: The site is situated wholly within Flood Zone 1. There are not known to be any potential flooding or drainage issues at the site.

Curtilage

Class X of Part 3 of the Order states that:

“‘Curtilage’ means for the purpose of Class R or S only,



- a) *the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or*
- b) *an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building, whichever is the lesser."*

Commentary: A small curtilage is proposed immediately to the front of the two units proposed to change use under Class R. The proposed curtilage would be compliant with the above as it would comprise an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building.

Ecology

The application is supported by a Preliminary Roost Assessment. This demonstrates that the barn has negligible potential for roosting bats.

Summary

This letter, together with the other supporting information submitted with the application, demonstrates that the proposed development would be compliant with the requirements and conditions of Class R of The Order.

Consequently, the prior approval of the Local Planning Authority is not considered to be required.

I trust that all is in order, and we look forward to receiving confirmation in due course.

Yours sincerely,

Tom Donovan BA(Hons) MA MRTPI, Director

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