

Wokingham Borough Council Planning Department
Civic Offices
Shute End
Wokingham
RG40 1BN

Our ref: 3296

27 March 2025

Dear Sir or Madam,

Notification of proposed change of use of agricultural buildings to 1no. dwellinghouse (Class C3) – General Permitted Development Order (GPDO) 2015 (as amended), Part 3, Class Q Change of Use of buildings from agricultural to dwellinghouses (C3) at land to the rear of 4 Douglas Grange, Hurst, Wokingham, RG10 0TT

On behalf of our client, Mr and Mrs Luthra, we submit this prior notification to seek approval from the Council that the proposed change of use would fall within the parameters of Schedule 2, Part 3, Class Q of the General Permitted Development Order (GPDO) 2015 and the provisions of paragraph W also within Part 3, Schedule 2 (both as amended).

It is noted that in May 2024 changes were made to Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015. There are transitional provisions in place set out in The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2024 that at 10(2) that allows the developer to make an application for a determination as to prior approval in relation to previously permitted development under Class Q until the end of 20th May 2025. It is under this transitional provision that we make this arrangement.

The applicant is: Mr and Mrs Luthra

The applicant's address is: 4 Douglas Grange, Hurst, Wokingham, RG10 0TT



We include the following plans to inform the assessment:

- Existing and Proposed Location Map – PL/A667/03
- Existing and Proposed Site Plan – PL/A667/04
- Existing and Proposed Elevations – PL/A667/02
- Existing and Proposed Ground Floor Plan – PL/A667/01

An application fee accompanies this submission.

Proposal

This proposal is for the change of use of agricultural barns at land to the rear of 4 Douglas Grange to one residential dwellinghouse (Class C3). The layout is shown in Figure 1. The red line for the site includes a drive which connects to the rear of 4 Douglas Grange whereby there will be a right of access onto Douglas Grange. The curtilage is the same area as the floorspace of the barn to be converted.

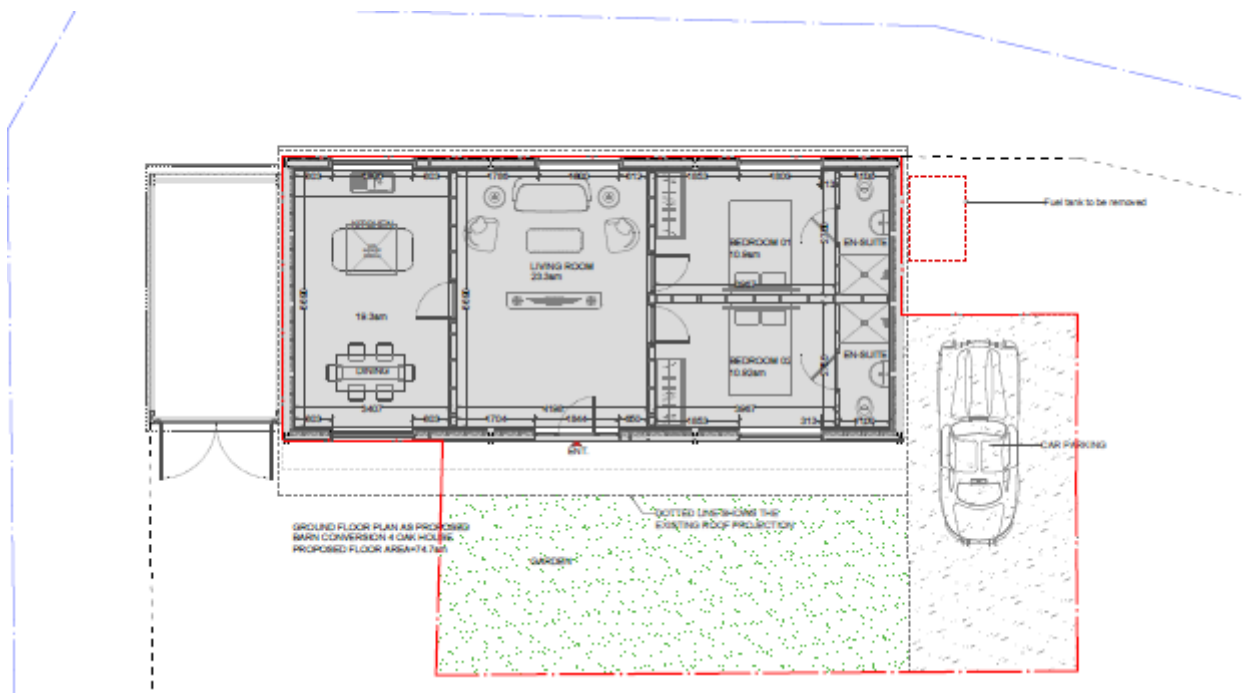


Figure 1 – Proposed Site Plan – extract from 22002-119

The residential unit would result in the creation of a two bedroom dwellinghouse of single storey. The dwelling would have a floor area of 74.7sqm (small dwelling). Parking is proposed for one vehicle.

Detailed plans accompany this submission to demonstrate the proposed appearance of the barns alongside the parking and garden arrangements.



Planning History

The building subject to this Class Q submission has not got a planning history. It has been in agricultural use associated with the surrounding field.

The recent planning history for the wider site comprises of 231773 applications for a certificate of lawfulness for the proposed provision of a new private way to provide access to the agricultural barn. This confirmed that the land (and thereby associated barn) are within agricultural use.

Planning Assessment

The change of use from agricultural buildings to a use falling within Class C3 is permitted under Class Q of the GPDO subject to the following tests – our response to each requirement follows in italics.

Permitted Development

Q. Development consisting of –

- a) A change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Class Order; or**
- b) Development referred to in paragraph a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.**

Through the acceptance of certificate 231773 it has been confirmed that the building is in agricultural use. The building has been used for the storage of tractors associated with the maintenance of the agricultural land.

Development not permitted

Q.1 Development is not permitted by Class Q if –

- (a) the site was not 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;**

There is no planning history for the site and the certificate of 231773 demonstrates the use of the land and building as being agricultural. Therefore, on the 20th March 2013 the building was solely being used for agriculture.

- (b) in the case of –**

- (i) a larger dwellinghouse, within an established agricultural unit –**



(aa) the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or

(bb) the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres.

The proposal is not for a larger dwellinghouse and so this isn't applicable.

(ba) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classed Order exceeds 465sqm

The floorspace is 74.7sqm and so does not exceed this threshold.

(c) in the case of –

(i) a smaller dwellinghouse, within an established agricultural unit –

(aa) the cumulative number of separate smaller dwellinghouses developed under Class Q exceeds 5; or

(bb) the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 100 square metres

There have not been any other Class Q approvals on agricultural land in the applicants control. The proposed barn has a floorspace of 74.7sqm and so falls within the smaller dwellinghouse threshold.

(d) the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following –

(i) a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

(ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5.

As noted above, there is no planning history for any other Class Q on the land within the applicant's control. This is the first and only building subject to Class Q. These thresholds are not exceeded.

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

There is no agricultural tenancy for this site.

(f) less than 1 year before the date the 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

There hasn't been an agricultural tenancy for this site in the last year.



(g) 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 of which is 10 years before the date development under Class Q point.

Class A(a) states 'works for the erection, extension or alteration of a building' and Class B(a) states 'the extension or alteration of an agricultural building'. There is no planning history, and no work carried out under Class A(a) or Class B(a) on the established agricultural unit since 20th March 2013.

(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point.

The proposal would not result in the external dimensions of the building extending beyond the external dimensions of the existing building.

(i) the development under Class Q(b) would consist of building operations other than –

(i) 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 dwellinghouse; and

There is a structural report prepared by Vector Structures Limited accompanying this submission that confirms the following:

That the main barn structure appears to be suitable for conversion into residential accommodation. Lateral stability is considered satisfactory as the barn is proposed to be changed from an open to an enclosed mono-pitch structure, which would reduce wind loading. Concrete ground slab, originally designed to accommodate garage loading of 2.5kN/m² is now proposed as domestic usage would reduce the load requirement by 0.5kN/m². Therefore, the conversion is considered satisfactory.

The relevant services along with water, drainage and electricity/gas will be introduced where necessary once the Council has confirmed that the proposed change of use is acceptable.

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

No demolition is proposed to facilitate the conversion of the barns. The oil tank will be removed but this is separate to the building.

(j) the site is on Article 2(3) land

The site is not on Article 2(3) land.

(k) the site, or forms part of –

(i) a site of special scientific interest



(ii) a safety hazard area

(iii) a military explosives storage area

The site is not located within any of the areas set out above.

(l) the site is, or contains, a scheduled monument

The site is not and does not contain a scheduled monument.

(m) the building is a listed building

The building is not a listed building.

It is demonstrated above that the proposed development passes the qualification tests of Class Q of the GPDO. Class (a) is passed as it is demonstrated and so is Class (b) as the barns are demonstrated as being structurally capable of conversion and the proposed changes could be accommodated within the remit set out within the test.

In meeting the tests of the GPDO the judgement must therefore be made by the LPA on the following conditions of the prior notification.

Transport and Highways

The site is located within the countryside as it is located outside any settlement boundary. It is likely that most, if not all, proposals for change of use of agricultural buildings are in the countryside. This is presumably one of the reasons why Class Q prevents multiple dwellings on agricultural units, to prevent too much traffic generation.

The barn subject to this submission would utilise the track to the rear of 4 Douglas Grange. Douglas Grange is a close that serves several residential dwellinghouses. The two-bedroom dwelling would be provided with one car parking space. The proposal would not result in a severe impact on the highway network.

Noise impacts of the development

The site is located within a rural area where housing is also a common feature. There is no noise concerns anticipated.

Contamination risks on the site

The site has been in agricultural use for a significant period of time, with no evidence to suggest that it has been in any other use. If there are any concerns for Environmental Health, this can be appropriately dealt with by planning condition.



Flooding risks on the site

The site is within Flood Zone 1 which is the lowest level of risk as the property is in Flood Zone 1 meaning it has low probability of flooding. Flood Zone 1 has a less than 1 in 1,000 annual probability of river or sea flooding.

Desirability/Sustainability of the Location

This has historically been used by some Local Planning Authorities as a mechanism through which Class Q (or its predecessor) change of uses could be prevented. To ensure against this practice continuing the Government has clarified the correct approach in making amendments to the Planning Practice Guidance (PPG). It clarifies that this test should only be used very specifically to prevent dwellings in situations without access or close to harmful activities. It does not apply a test in relation to the sustainability of the location. This is deliberate by the Government as it recognises that many agricultural buildings will not be in village settlements and may not therefore be able to rely on public transport for their daily needs. Instead, the local planning authority can consider whether the location and siting of the building would make it impractical or undesirable to change use to a house. On the basis there are existing houses adjacent to the site it demonstrates that this is not an undesirable location.

Design and External Appearance of the Building

There is limited advice as to how this condition should be applied, therefore it is reasonable to assume that this is just a normal planning judgement of visual impact – both as a comparison with the existing building and as a proposed building in isolation.

The accompanying plans provide a visual guide as to the appearance of the converted buildings. The proposed changes will seek to ensure the existing appearance of the agricultural buildings remain with the existing scale and form remaining.

Due to the location of the barn there will be no views from the public realm of these converted barns.

The Provision of Adequate Natural Light in all Habitable Rooms of the Dwellinghouse

As demonstrated by the accompanying plans, all the habitable rooms have windows serving them, meaning they will all benefit from normal and acceptable levels of natural light.

Other Matters

In terms of the nationally prescribed space standards, the proposals would meet these standards. The barn will have a floorspace of 74.7sqm and would be for a two bed 4 person dwelling where the standards require 70sqm if across one floor.



Conclusion

The proposal is for a prior notification for a change of use from agricultural to residential under Class Q of the GPDO. This application is accompanied by a number of plans to show the existing and proposed development. Also, there is a structural survey that has been prepared following a site visit and assessment of the proposed conversion works.

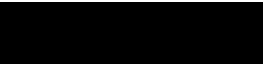
The letter considers the criteria set out within the GPDO and demonstrates how all criteria are met. It also looks at the conditions imposed within the GPDO and assess the proposal against these. It demonstrates there should be no issues.

Consequently, it should be concluded that the proposed development complies with the requirements of Class Q of the GPDO 2015 (as amended) and does not require planning permission.

Please do not hesitate to get in touch with the writer of this letter should additional information be required to inform your decision.

Yours faithfully,

BELL CORNWELL LLP



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