

Planning Statement

23 August 2024



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Address:

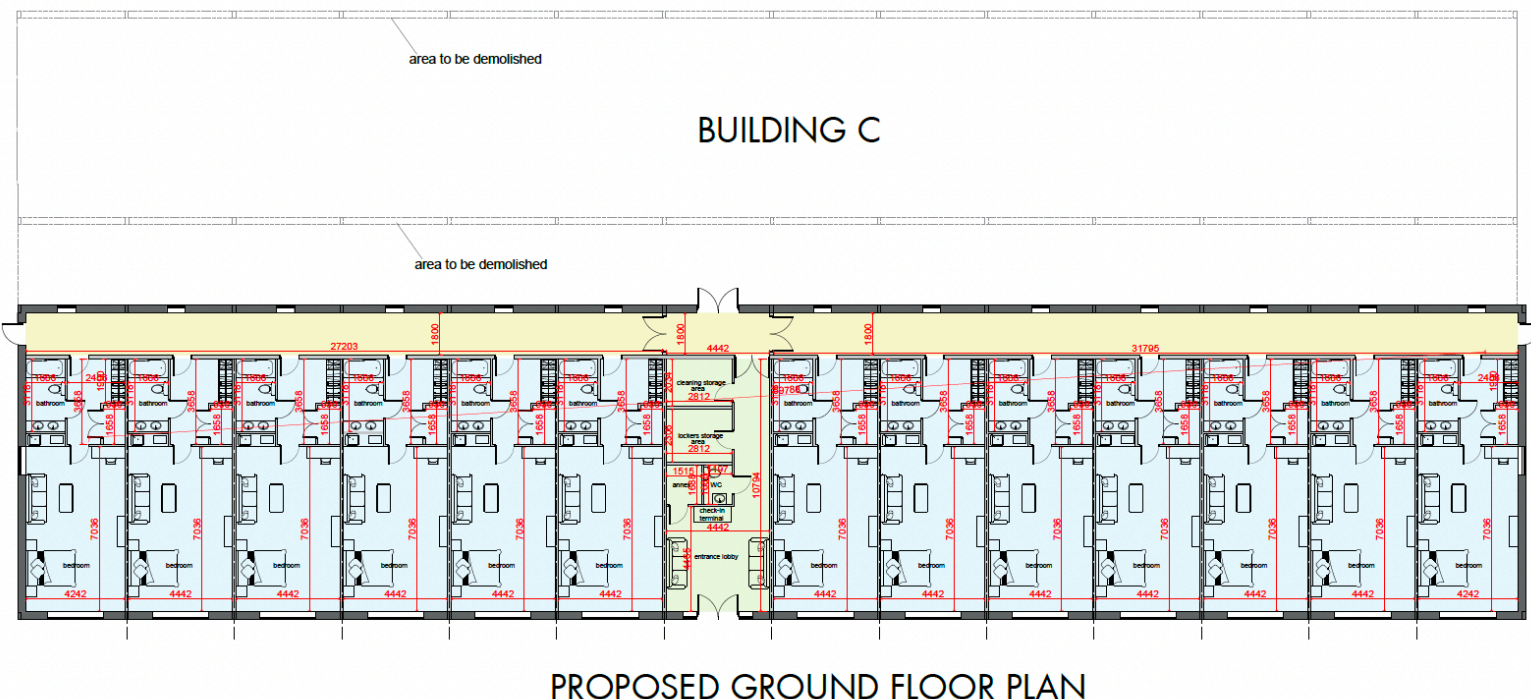
Glasspool Farm
Part Lane
Risely
RG7 1RU

Applicant:

Wroxton Ltd

Proposal:

Prior Approval Change of Use of Agricultural Buildings to a flexible use within General Industrial (Class B2), Storage or Distribution (Class B8), **Hotels (Class C1)**, Commercial/Business/Service (Class E), Outdoor Sport or Recreation (Class F2(c)), or for the provision of agricultural training. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class R



Application

This application is the second of two applications which will be submitted in close succession of each other for Permitted Development conversions on existing agricultural buildings at Glasspool Farm, this being to convert a building to a hotel.

Application 1

That application seeks the Prior Approval of the Council for the conversion of two existing agricultural barns (A & B) into 10 x 3 bedroom residential homes each measuring a total of circa 95 square meters each.

Application 2

This application will be for the partial demolition of Barn C as shown on the block plan and the conversion of that area of the barn retained, into a Hotel. The hotel room will contain facilities to function as self contained apart hotel rooms.

Site Description

The site has a detailed planning history, and previous determinations in relation to the agricultural status of the site has been assessed, with a number of Prior Notification applications having been granted, but not implemented.

One such application (152333) shows that the building was accepted as being in agricultural use as part of an established agricultural unit in the 2015 application. Whilst the building is currently not in use, clearly no change has occurred since this application and it is confirmed that the last known use at the relevant dates was that of agricultural as part of an established agricultural unit.

I submit the report and findings of the determination of application 152333 for the case officers consideration.

The holding to which Glasspool Farm relates formerly extended to 182 hectares (450 Acres) as set out in the report by across rural property services, page 3, and they confirm that the then owners farmed the property for agriculture on or before 20th March 2013.

At 4.5 of the report, they clearly set out the buildings use

4.5 The buildings in question are redundant poultry houses which have been modified and last used for cattle sheds and storage. They are now mainly redundant occasionally used for straw and machinery storage.

Case Officer Report - Submitted in full

No material changes or alterations to the buildings have occurred since this assessment was carried out.

The proposal would not fall within the provisions of the above. The building is not on article 2(5) land and there is no reason presented to question the agent's argument that the building has been in agricultural use since the 20th March 2013. The total proposed number of dwelling houses are 3, and the floor space of the existing buildings proposed to change use is 448m². The site is not within or part of a safety hazard area or military explosives storage area and is not a listed building or scheduled ancient monument.

Relevant Planning History

152333

Application for the prior approval for proposed change of use of three agricultural buildings to dwelling houses (Use Class C3)

Prior Approval - Approved 14/10/2015

160121

Outline Application for the erection of 4no dwellings

Refused 26/04/2016

180706

Outline application for the proposed erection 3no. New dwellings

Refused 01/05/2018

181989

Application for prior approval for the proposed change of use of an existing agricultural building and the land within its curtilage to 5no. Dwelling houses

Prior Approval - Approved 07/09/2018

193386

Prior Approval submission for proposed part conversion of barn to flexible use

Prior Approval - Refusal 28/01/2020

193385

Prior Approval submission for the proposed part conversion of 2 no barns to provide 5no. Dwellings

Prior Approval - Refused 28/01/2020

200371

Prior Approval (Class R) submission for the proposed change of use of 1no. Agricultural building to an office use building with ancillary parking

Prior Approval - Approval 15/05/2020

200243

Prior Approval submission for the conversion of 2no. Agricultural buildings to provide 5no. Dwelling houses.

Prior Approval - Approved 26/02/2020

It is evident that the Glasspool Farm site has been the subject of a number of prior approval submissions to the LPA for determination and prior approval has been granted.

To date, none of these prior approvals have been implemented or commenced and have all now lapsed. The present plans, if approved will be implemented, as the current owners seek to bring about an overall improvement to the site and set certainty for the local residents about the sites future and the overall use.

Legislation

Revision 21 May 2024 The legislation has been revised and there currently exists a 12 month transition period, the application barn's qualify under both the previous version and the revised version of the legislation, the revised being the relevant legislation to this application.

Works Not Requiring Consent

Town and Country Planning Act 1990

Section 55 Meaning of "development" and "new development".

(1) Subject to the following provisions of this section, in this Act, except where the context otherwise requires, "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any

buildings or other land. **F1** [(1A) For the purposes of this Act " building operations " includes— (a) demolition of buildings;

(b) rebuilding;

(c) structural alterations of or additions to buildings; and

(d) other operations normally undertaken by a person carrying on business as a builder.]

(2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

(a) the carrying out for the maintenance, improvement or other alteration of any building of works which— (i) affect only the interior of the building, or (a) the carrying out for the maintenance, improvement or other alteration of any building of works which—

Under section 55 (2)(a)(ii) (a), works to the internal structure would not require planning consent, and could be undertaken at anytime, either prior to a Part Q application, or during the subsequent development and conversion works of the Part Q application implementation.

The important part of Part R, is that the building must be capable of conversion, when combined with necessary works, the barns are confirmed as being capable of being converted.

Legal Case

In looking more closely at the conversion versus building works, there is a lead authority legal case, *Hibbitt and another v Secretary of State for Communities and Local Government and another* [2016] EWHC 2853 (Admin). In the case of *Hibbitt* prior approval was sought for the conversion of a steel framed barn largely open on three sides to a residential dwelling house on the basis that it was permitted development.

The issue for the Court to determine was whether such a conversion fell within the scope of 'conversion' under Part 3 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015 ("GDPO").

The relevance being that, in dismissing an appeal against refusal of prior approval, a Planning Inspector had determined that, notwithstanding the various conditions, the development in question had to amount to conversion and conversion only.

The barn in question was open on 3 sides, and the construction of 3 substantial EXTERNAL walls, would amount to building works not conversion works. Section 55 (2)(a)(ii) (a), could have not been used on the *Hibbitt* barn, for the walls were external and not internal and would have materially altered the external appearance of the barn, thus being development, requiring full planning permission.

The application barns are enclosed and have walls and external treatments, on all four sides and whilst the external treatments require repair, they would not fall foul by way of the HIBBITT test, and as professionally assessed by the structural engineers, they are capable of conversion.

Permitted Development R

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 **[F21,000 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.

The application site when last in use, was used for agriculture as a part of an established holding, as demonstrated and accepted in 152333 and each subsequent prior approval

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;

The site has not been previously changed under Part R, although as the planning history details, there has been a Part R Prior Approval -Approved, but this was never implemented.

(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 **[F3Class E]** 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.

[F4(d) where the site is to be used for general industrial purposes within Class B2, it must only be used for the processing of—

- (i) raw goods, excluding livestock, which are produced on the site and are to be sold on the site, or
- (ii) raw goods mentioned in paragraph (i) together with goods ancillary to the processing of those raw goods**]**

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.

Size

The application building to be converted to a hotel, is larger than 150 square meters but smaller than 1000 square meters.

No other Part R Prior Approvals have previously been implemented at Glasspool Farm.

Relevant Assessment Criteria

1. Transport and highways impacts of the development.
2. Noise impacts of the development.
3. Contamination risks on the site
4. Flood risks

Transport & Highways

The applicants employed the services of Highways Engineer Specialists MOTION, who provide a 38 page report on the impacts of the proposal, which is submitted in full for the consideration of the planning department.

Summary

6.1 This Transport Statement has been prepared to accompany a planning application in relation the development proposals on land north of Part Lane, Riseley, Reading. The site falls within the administrative boundary of Wokingham Borough Council (WBC).

6.2 The site is located on land north of Part Lane, approximately 900 metres to the east of the residential village of Riseley. The site is bound by undeveloped land to the north, Trowe's Lane to the east, Part Lane to the south and a residential dwelling to the west. The site benefits from close proximity to the strategic highway network via A33 to the west.

6.3 The site comprises of Glasspool Farm which is currently vacant, albeit was previously operated under agricultural use in the past. The development proposals seek prior approval permission to redevelop the site to provide 14no. 1-bedroom apart-hotel units. Access to the site will be achieved via the existing access from Part Lane. Car and cycle parking will be provided in accordance with applicable policy standards.

6.4 This Transport Statement, which has been prepared in accordance with current best practice guidance, has demonstrated that:

6.5 On the basis of the above, it is concluded that the proposals accord with national and local transport policies and can be accommodated without detriment to the safety or operating capacity of the local highway network. As such, it is considered there is no reason why the proposals should be resisted on traffic or transportation grounds.

The proposals accord with national and local policies relevant to transport;

The site is accessible by public transport, walking and cycling;

Suitable and appropriate vehicular access to the site can be achieved via [Insert Road Name] in accordance with current best guidance practices;

Car and cycle parking have been provided in accordance with relevant parking guidance;

Appropriate provision has been made for deliveries and servicing; and

Vehicular trip movements will not interfere with the operation, capacity or safety of the local highway network.

Swept Path

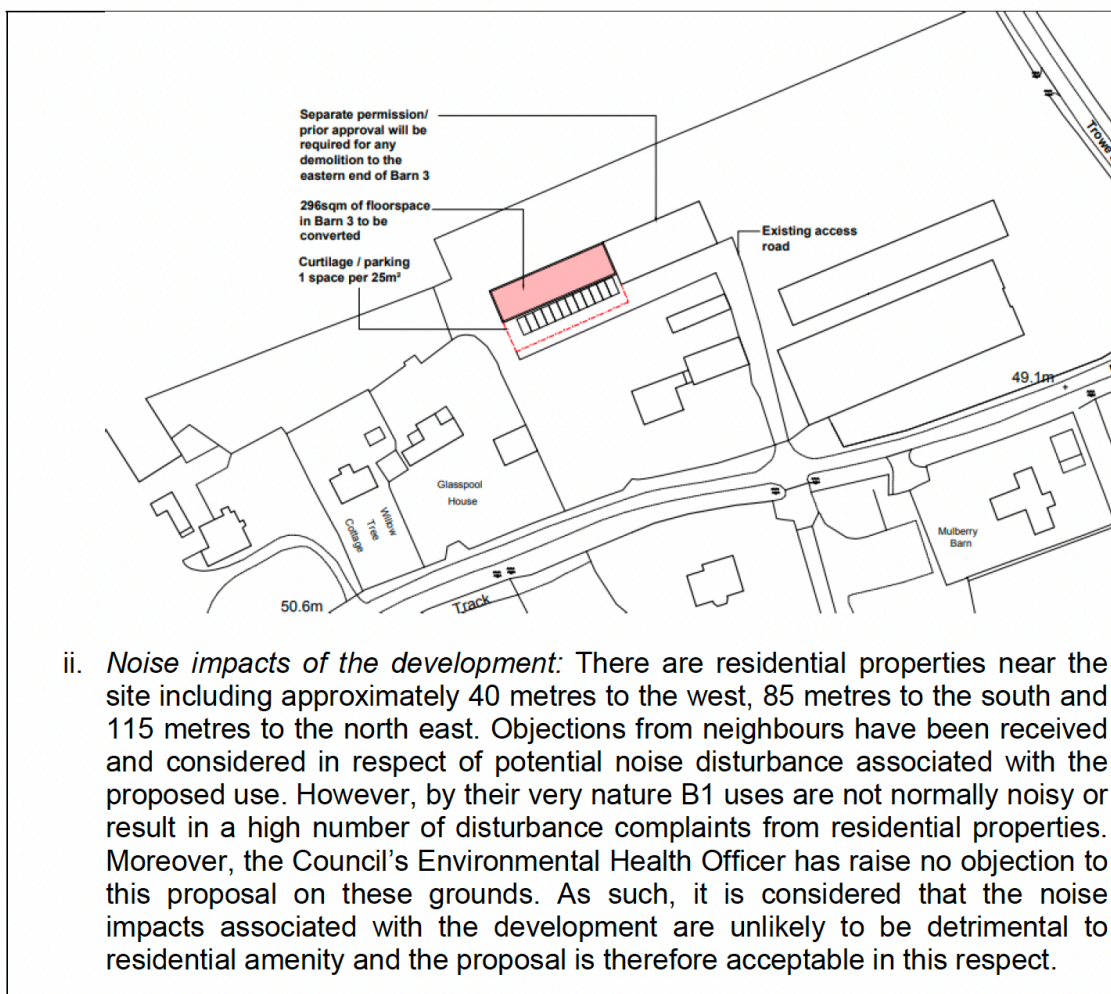


The application documents clearly demonstrate that there are no adverse impacts to the highways network caused by the proposal.

Noise Impacts

It has been previously accepted that the removal of the commercial farming enterprise use from the land and the keeping of livestock within the barns as previously carried on, would significantly reduce any future impacts regarding noise generation from the conversion of the buildings to residential (Barns A&B) and to the Apart-Hotel Barn C.

In looking at how the Council viewed a Part R, Prior Approval (Approved) Ref:200371, at the site previously, we look to the case officers report and page 7



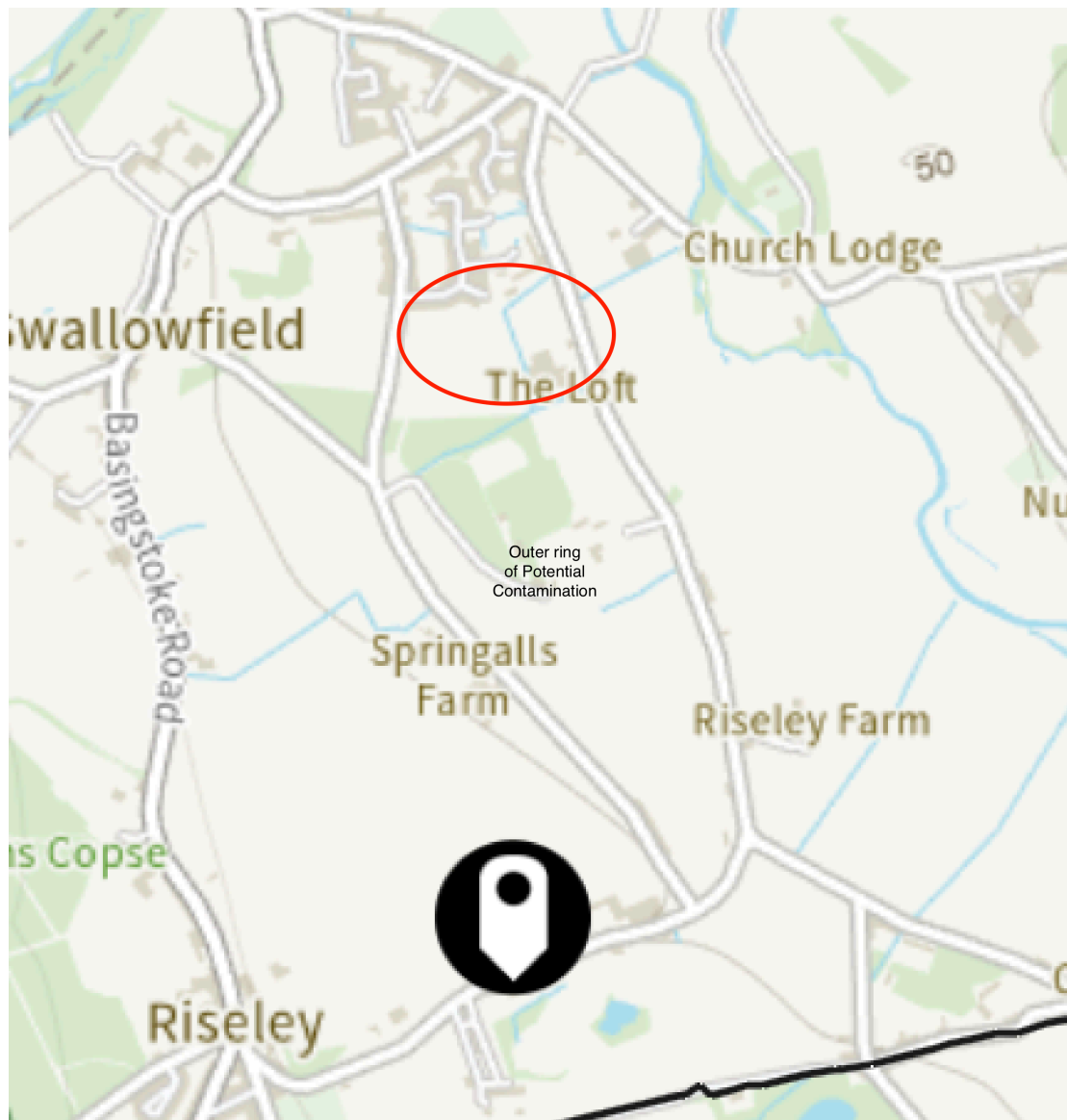
This use was directly adjacent and to the rear of a number of residential properties and was judged to be acceptable. The Apart-hotel is located to front of the site, near to the Part Lane, where existing traffic flows are expected and tolerated in the background noise volumes, therefore any vehicle movements associated with the Apart-hotel, will be heard and read in that context and setting.

The units will be self contained and heavily sound proofed and insulated so there are no expected issues with noise transfer from the use of the building as a hotel.

Contamination Risks

In the application 152333 and subsequent applications for prior approval, it was accepted that the applicants submission, as to previous use of the site, namely the use of the barns for agricultural storage and for the housing of livestock, demonstrated that there were no likely risks of contamination.

The nearest hazardous substance consent lies a distance to the north and the application site is not located within any of the Inner, Middle or outer potential risk from contamination zones.



If however the LPA are concerned about potential contamination, it is perfectly acceptable to condition investigations prior to the commencement of development.

Flood Risk

The entire site is located within Flood Zone 1, meaning that the site is not at risk from Flooding and any vulnerable use such as a hotel, would be considered acceptable in this location.

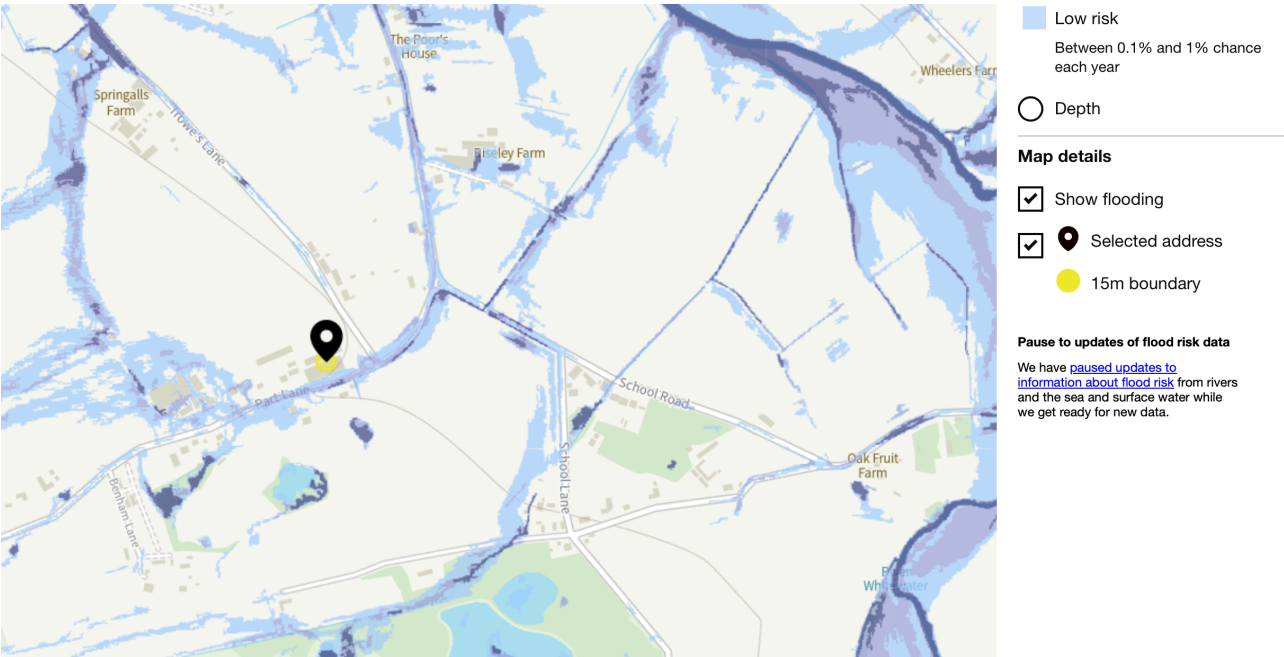
Flood map showing the flood zone your site is in

The map shows the flood risk to your site and the surrounding area.



Surface Water Flooding

There is a very low risk of between 0.1% and 1% per annum, that the parking area will incur some surface water flooding.



The proposal is considered to be safe from the risk of flooding

Structural Engineers Report

Whilst it is not strictly a requirement of Part R legislation to demonstrate that the building is capable of conversion, the applicants have decided to take a precautionary route and instruct the specialist services of a Structural Engineering Firm, Gurney, to provide a report on the buildings structure.

The 11 page report from Gurney Consulting Engineers is submitted in full.

4.0 CONCLUSION

It will in our opinion be feasible to convert the existing barn into an hotel without wholesale reconstruction of the primary structural frame.

The walls, roof and ground floor slab will require significant upgrading to achieve the necessary thermal and watertight envelope to meet modern Building Regulations and the introduction of door and window openings.

Whilst it is obviously the case and as stated by the engineers, that significant upgrades to the thermal efficiencies of the building will be required, they conclude that the building is capable of conversion and is structurally sound.

Many of the internal conversion works which are reasonably necessary to convert the building, could be carried out presently, under section 55(2) as non material works to the internal structure and in such an event, would not fall to be considered under Prior Approval.

It is perfectly reasonable and an accepted conversion practice, to for example, lay additional thermal insulation on top of the existing concrete flooring to meet the modern standards. This approach is known as a floating floor and is considered a conversion or upgrade process as oppose to a rebuild type process, which might have involved removing the existing floor as an example.

It is the case that the existing building is structurally capable of conversion to hotel and naturally, all modern building regulations will be strictly adhered to through the monitoring and sign off stages.

Conclusion

The barn selected for prior approval conversion to a hotel, are policy compliant and it was part of a agricultural holding at the required dates or when last in use, as clearly evidenced by the historic prior approval consents granted by Wokingham Borough Council and this document.

The application demonstrates that,

That there are no Article 4 Directions affecting the site

That there are no archaeological constraints affecting the site and no historical buildings

The occupiers will be safe from the risk of flood and will not increase the risk of flooding elsewhere

That the buildings are structurally capable of conversion and the conversion works required, do not go beyond that which are necessary to convert the buildings to a residential use

There is no known risk of contamination across the site and should a precautionary approach be required, this can be conditioned prior to development commencing

That the proposal does not negatively impact the local highways network and that access to and from the site his safe for all users

That there are no likely negative noise issues or receptors that will impact the amenity of future occupiers or those already living alongside the development

That no previous Prior Approval - Approvals have been implemented across the site

Accordingly the Council are invited Approve the prior approval application.