

Planning

Eastleigh Borough Council
Eastleigh House
Upper Market Street
Eastleigh
SO50 9YN

3rd November 2023

Dear Sir/Madam,

Cockpit Farm Barn, Knowle Lane, Horton Heath, Eastleigh

On behalf of my client, Alderbury Homes, I enclose a prior approval application for the change of use of an existing agricultural building to a flexible commercial use (specifically Class E(g)(iii)) under Class R of the GPDO 2015 (as amended). This letter supports this submission and demonstrates compliance with the conditions and limitations of the Order. This follows and replaces a previously approved notification in respect of the same barn considered under the reference PN/22/92314, and it sits alongside the notification accepted by Eastleigh Borough Council under the reference PD/23/95961 for the use of 150sq.m of the building for E(g)(iii) use.

In addition to this letter, the submission is also accompanied by the following supporting documentation:

- Application Form;
- Site Location Plan - 101
- Desk Study Report – prepared by Lake Environmental; and,
- Flood Map for Planning Report.

Introduction

Class R of the GPDO 2015 permits the change of use of a building (including land within its curtilage) from an agricultural use to a flexible commercial use falling within Class B8 (Storage or Distribution), Class C1 (Hotels) or Class E (Commercial, Business or Service) of the Schedule to the Use Classes Order.

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 500 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.*



www.novaplanning.co.uk



Building A, Unit 3, The Yard, Station
Road, Wickham, Hampshire, PO17 5JA

Nova Planning Limited. Registered in
England & Wales Number: 11136359

Subject to the above, Class R applies certain conditions that must be satisfied by the developer before changing use. Where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit exceed 150 square metres, 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-

- i. Transport and highways impacts of the development;
- ii. Noise impacts of the development;
- iii. Contamination risks on the site; and
- iv. Flood risks on the site

In relation to such an application the provisions of paragraph W (Prior Approval) apply.

The Proposal

The proposal consists of the change of use from an agricultural building to a flexible use falling with Class R of the GPDO 2015, and specifically a Class E(g)(iii) (light industrial) use. The proposal will consist of a change of use of 350sq.m square metres of the existing barn, which sits alongside the 150 square metres for the same use previously accepted under the reference PD/23/95961. The proposal addresses the reasons for refusal of a similar application under application reference PN/23/95763 through the provision of additional information.

The application relates to part of a large barn previously used to house poultry, the building is currently vacant and there has been no intervening permitted uses. The remainder of the building has extant, unimplemented, planning permission for conversion to 5 dwellings under the application reference PN/22/92315, which includes the partial demolition to create separation between the proposed uses. The building was in use solely for agriculture as part of an established agricultural unit prior to the 3rd July 2012 in compliance with Condition R.1(a) Part (i).

The building forms part of the Agricultural Holding for Cockpit Farm and has been sold to Alderbury Homes. Once the proposed change of use has been implemented alongside that accepted under the reference PD/23/95961 the total floor space area that has changed use to a E(g)(iii) use under Class R will be 500 square metres, which does not exceed the total permissible threshold of 500 square metres in compliance with R.1(b).

The site is not and does not form part of a military explosives storage area or safety hazard area. The building is not listed nor is it a scheduled monument. The proposal is therefore compliant with R.1(c), (d) and (e).

The building complies with all statutory requirements in accordance with R.1(a) to (e) and thus qualifies for execution of Class R subject to the relevant conditions, which are considered in detail in the subsequent section.

Class R Conditions

Paragraph R.3(1)(b) requires the developer to apply to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required as to:

1. Transport and highways impacts of the development;

The application is accompanied by a highways technical note which considers the transport and highways impacts of the development. In this instance, the existing access which has historically served an agricultural use without any undue issues, is considered to be acceptable to accommodate the limited number of traffic movements that a development of 350sqm of industrial use would generate. The access meets the requisite requirements with regards to visibility and the minimal amount of additional traffic likely to be generated would not cause or increase danger to road users or have a significant detrimental impact on the operation or safety of the highway network. Nor would the cumulative impacts on the road network be severe (NPPF Paragraph 111). Given the above, it is considered that such a minor development would be acceptable from a highway safety point of view.

2. Noise impacts of the development

The submission seeks to change of use of the building to a light industrial E(g)(iii) use, which are by definition, appropriate within residential areas. In the light of the previously refused prior notification application the applicant has commissioned a Noise Impact Assessment to consider the effects of the proposed development. The results of the assessment indicate that the noise impact from the operations will be low-negligible and, therefore, there is considered to be no reason, on noise grounds, why planning consent for the proposals should not be granted.

Contamination risks on the site

The submission is accompanied by a Desk Study Report and preliminary investigation prepared by Lake Environmental which considers the contamination risks on the site. The report highlights potential contamination associated with the historic use of the site for poultry farming and recommends further intrusive investigation. The information proposed is considered sufficient to grant prior approval subject to conditions relating to further investigation, remediation and verification where necessary.

3. Flood risk on the site

The site lies entirely within flood zone 1 as identified on the Government's flood map for planning portal. See enclosed report. The site is therefore at the lowest risk of flooding and therefore flood risk is not an issue on this site.

Conclusion

This application follows and replaces a previously approved notification in respect of the same barn considered under the reference PN/22/92314. The current application is made pursuant to that previous decision and seeks approval for an alternative use within Class R of the Order. It will sit alongside the notice that was accepted by Eastleigh Borough Council under the reference PD/23/95961 and it fully addresses the reasons for refusal of a similar application under application reference PN/23/95763 through the provision of additional information.

The Government is committed to supporting the diversification of the rural economy through the reuse of agricultural buildings for flexible commercial purposes, as defined by Class R. The change of use to a flexible commercial use will support the rural economy in this location.

The building has always been in sole use for agricultural purposes. The change of use under Class R amounts to a total cumulative floor area of 500 square metres on the holding, thus the proposal falls within the permissible limits defined by Class R.1(b).

The site is not and does not form part of a military explosives storage area or safety hazard area. The building is not listed nor is it a scheduled monument. The proposal is therefore compliant with R.1(c), (d) and (e).

The building complies with all statutory requirements in accordance with R.1(a) to (e) and thus qualifies for execution of Class R and the conditions set out by paragraph R.3(1)(a) have been fully satisfied by this letter and associated technical and environmental reports.

I trust the information provided above is clear. However, should you require any further clarification then please do not hesitate to contact me.

Yours faithfully,



Jacob Goodenough
Director

Cc. Alderbury Homes
Enc. As above