

RURAL PLANNING LIMITED

18 OLD WARSDOWN, FLIMWELL, WADHURST, EAST SUSSEX TN5 7NN
 TEL AND FAX 01580 878080
 RLH@RURALPLAN.CO.UK

Development Control Manager
 Maidstone Borough Council
 Maidstone House
 King Street
 Maidstone
 Kent ME15 6JQ
 FAO Geoff Brown

Your ref: 15/502332/FULL
 Our ref: RLH/AA/MA/15/23
 Date: 15 May 2015

Dear Mr Brown

Great Oak Farm, East Sutton

I refer to your email of 11 May 2015 requesting advice on the planning application submitted on behalf of Mr D Bridger for the erection of a further agricultural building at the above site.

The proposal is for a general purpose agricultural building (approx. 20.0m x 10.0m, 5.0m to eaves and 8.9m to the ridge) to perform the same functions as the existing barn on the site (somewhat larger, being 22.0m x 11.0m) that was permitted (on appeal) under MA/09/0861, to serve the applicant's 11 ha holding where he is attempting to establish a commercial alpaca breeding venture. The land provides associated grazing, and hay crops.

Other relevant Planning history:

- consent was granted under MA/11/2037 for an Animal Husbandry Barn, a revised siting for which was subsequently approved under MA/13/0895.
- 8 permanent field shelters within individual grazing paddocks were permitted under MA/13/0894 and are to be constructed shortly.
- a temporary dwelling was refused under MA/13/1014, but was allowed last year on appeal.

I understand that the reason for applying for what would be, in effect, a replacement barn, is that the original barn built under MA/09/0861 now benefits in principle from the new permitted development provisions (formerly class MB(a), but now class Q(a)), that would allow (subject to the relevant terms within the GPDO) its change of use to a dwellinghouse. This has been confirmed in a Certificate of Lawfulness dated 20 February 2015.

However I understand that this provision, and the associated Certificate, relates only to the putative change of use, and not associated building operations, in respect of which the applicant would need to submit a application for a determination as to whether the prior approval of the Planning Authority will be required as to the design or external appearance of the building.

Were such a conversion to be implemented, the loss of the building to another use would be such that, in effect, its equivalent replacement could be argued to meet the provisions of "saved" local planning policy ENV 43(1) and (2).

However, unless and until that change takes place, the existing permitted barn and the other permitted buildings, could meet the identified agricultural requirements, and a second building to achieve the same purpose would be superfluous, and not reasonably necessary to agriculture.

The Council cannot be sure, at this stage, that an appropriate scheme including the building operations necessary to convert the existing barn to a dwelling house will be a) submitted, b) approved and c) implemented. As matters currently stand, therefore, it would appear that the current application may be regarded as premature.

I hope this is of assistance, but please let me know if you require any further advice.

Yours sincerely,

A handwritten signature in black ink that reads "R J Lloyd-Hughes". The signature is written in a cursive style and is positioned above the typed name.

Richard Lloyd-Hughes MRICS
Rural Planning Limited