

**Reference number: 18/500972/PNQCLA**

- 3 representations have been received raising (in summary) the following issues:
  - Great Crested Newt assessment required as pond is 100m to north of site
  - Landscape survey is required as development is in rural location
  - There are right of way/land ownership issues in terms of vehicle access
  - How asbestos is disposed of
  - Potential property damage
  - Impact upon neighbouring properties in terms of general noise and disturbance
  - Contamination risk
  - Building was not in agricultural use on 20<sup>th</sup> March 2013
- In response, under the prior notification process, the conversion of the proposed building into a single dwelling is considered to be permitted development. One of the conditions in permitting the development is that before beginning the development, 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:
  - Transport and Highways impacts of the development
  - Noise impacts of the development
  - Contamination risks on the site - Flooding risks on the site
  - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change as proposed
  - Design and external appearance impacts on the building.

These are the only matters that can be considered in the determination of this prior notification application, and as set out in the committee report, no objection is raised on these matters subject to the recommended land contamination condition.

In terms of the building's use, the regulations stipulate the following:

*Development is not permitted by Class Q if—*

- (a) 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.*

The applicant has confirmed as part of the submission that the building was used solely for agricultural use as part of an established agricultural unit on or before 20<sup>th</sup> March 2013. In support of this, 2 letters have been submitted from 2 persons that operate agricultural holdings, and together they state that land at Peckham Farm (including the building in question) have been used for the keeping of sheep and animal husbandry between 2007-March 2013.

During the site visit there was nothing to suggest that the building had been used for any other established use since this time; and no adequate evidence has been presented to go against this view.

**Recommendation remains unchanged.**