

Reasons

Whether permitted development

4. The GPDO at paragraph Q states that development consisting of a change of use of (i) a building that is part of an established agricultural unit and ant land within that building's curtilage to a use falling within Class C3 (dwellinghouses) is permitted development.
5. Paragraph X of the GPDO defined established agricultural unit as agricultural land occupied as a unit for the purposes of agriculture. The appellant has provided a holding number and map detailing the appeal site, and building, forming part of their agricultural holding. In their submission the appellant confirms that the land and buildings were in agricultural use since purchased in 1998, and the buildings only ceased their agricultural use in 2016.
6. Whilst the Council's concerns relate to the agricultural use of the building, there is no requirement in the GPDO for the building's to be in agricultural use. The location of the building on an agricultural unit is sufficient to comply with the requirement of Class Q (a) (i).
7. In any event, detailed information regarding the use of the building for storage purposes has been provided by the appellant. Whilst the use may have ceased, and whilst the Council counter the reasons for this, the previous use appears to have been agriculture.
8. Consequently, from the available evidence, I have no reason to believe that the appeal site does not form part of an established agricultural unit. I therefore conclude that, in light of the above considerations, having regard to paragraph Q.1.(a) (i) of the GPDO, the proposed development would be permitted development under Schedule 2, Part 3, Class Q of the GPDO.

Protected species

9. In consideration of wildlife matters, every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. This duty is similar in scope to those under the Conservation of Habitats and Species Regulations. This can justify taking into account the effect on any protected species in determining a prior approval application, where the matters include amenity, siting or location.
10. A Preliminary Ecological Appraisal including a preliminary bat roost assessment (PEA), and Bat Survey have been submitted with the appeal. The Bat Survey confirmed the presence of a number of bats, and species, within one building. A number of recommendations, including mitigation and enhancement, have been provided within the bat survey.
11. The Council appear to be content with most of the recommendations however have raised concerns regarding the location of two crevice-designed boxes for pipistrelle bats and whether this can be provided within the red outline. The submitted drawings note that this would be provided on the front elevation with final location to be confirmed with the Council's ecologist. Surrounding the entire building to be converted is an area of red land. The plans detail that the crevice-designed boxes would be located on the elevation of a building as such they would be provided within the curtilage.