

# Outlook

CURRENT NEWS AND VIEWS ON ISSUES AFFECTING LAND & PROPERTY

AUTUMN 2023

## Proposed expansion of PD Rights

A new consultation is seeking views on proposed changes to the **Town and Country Planning (General Permitted Development) (England) Order (GDPO)** which could be of assistance to farmers and landowners.

The proposals comprise the expansion of permitted development rights that allow the construction, change of use and extension of certain buildings without the requirement for full planning permission, including the change of use of agricultural buildings to residential or commercial uses and construction of new agricultural buildings.

We have summarised some points that may be of interest in this edition.

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**Charlotte Bromley**  
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Property Consultants LLP

# Consultation proposes significant expansion of PD Rights



## A summary:

### Class Q of Part 3 - Agricultural Buildings to Dwellinghouses:

**Paragraph 59:** Review of the size limits to enable a total of 1,000m<sup>2</sup> of floorspace to change use, an increase from 865m<sup>2</sup>.

**Paragraph 61:** Removal of existing limitations on smaller and larger homes; introduction of a single maximum floorspace limit of either 100m<sup>2</sup> or 150m<sup>2</sup> per dwelling. Additional proposal to increase the maximum number of homes that can be delivered on one agricultural unit from 5 to 10.

**Paragraph 65:** Amendment to allow for rear extensions to the original building during the change of use with a maximum depth of 4 metres. The extension would have to be single storey, could extend the entire width of the existing rear elevation and would only be permitted where land has been previously developed, such as a farmyard.

**Paragraph 72:** Introduction of a requirement that all buildings must have an existing floorspace of at least 37m<sup>2</sup>.

**Paragraph 74:** Amendment of the PD right to apply in Article 2(3) land which would allow buildings in the AONB and National Parks to benefit from change of use to rural homes.

**Paragraph 78:** Amendment to allow all buildings on an agricultural holding to qualify for change of use, not just those that have been used solely for agricultural purposes. It is envisaged that the right would not extend to existing farm shops or buildings in a flexible use granted under Class R of Part 3.

**Paragraph 81:** Review to allow buildings that were previously in agricultural use but no longer sit on an established agricultural unit to qualify for change of use to a dwelling. For example, a barn located on the outskirts of a village that is no longer part of a working farm.

**Paragraph 87:** Introduction of the requirement for an existing building to have suitable, existing access to a public highway in order to benefit from the right.

**Paragraph 89:** Review on how the building operations that are allowed in order to convert the building work in practice and if the current legislation is fit for purpose.

**Paragraph 91:** Additional flexibility to allow buildings occupied by other rural uses, such as forestry or equestrian, to change use under Class Q or a bespoke new right.

### Class R of Part 3 - Agricultural Buildings to a Flexible Commercial Use:

**Paragraph 99:** Expansion of type of buildings that can benefit from the right such as forestry or equestrian buildings.

**Paragraph 101:** Amendment to allow for a greater flexibility of uses permitted under Class R, to include outdoor sports, recreation or fitness uses.

**Paragraph 106:** Additional expansion of the right to include Use Class B2 – General Industrial. Limited to allow the processing of raw goods produced on site and to be sold on site, excluding livestock, to support the ‘farm to fork’ summit.

**Paragraph 110:** Amendment to allow for a mix of permitted uses on site.

**Paragraph 113:** Review of the size limits to allow for 1,000m<sup>2</sup> of floorspace to change use, an increase from 500m<sup>2</sup>.

### Class A of Part 6 - Agricultural Development on Units of 5 Hectares or More:

**Paragraph 125:** Review of the size limits to allow for any new building or extension to cover up to 1,500m<sup>2</sup>, an increase from 1,000m<sup>2</sup>.

**Paragraph 128:** Removal of current flexibility which allows for the erection of new buildings and extensions where the site is a designated scheduled monument.

The consultation opened on Monday 24 July and is running until Monday 25 September. We will be monitoring it with interest.

You can view the entire consultation and respond via the online survey by visiting: [www.gov.uk/government/consultations/permitted-development-rights](http://www.gov.uk/government/consultations/permitted-development-rights).



**Charlotte Bromley**  
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## Meet the Team

In this issue we meet...



### Charlotte Bromley

MRICS

I joined Hobbs Parker in October 2020 after graduating from the Royal Agricultural University, Cirencester with a BSc (Hons) degree in Rural Land Management.

My time at Hobbs Parker originally began with work experience in 2016. Having completed my degree at the RAU, I passed my RICS exams in June 2023 and became a qualified Chartered Surveyor and RICS Registered Valuer. I am now working towards my CAAV exams to become a Fellow of the Central Association of Agricultural Valuers.

Day to day I undertake a variety of work including valuations, compulsory purchase and utilities schemes, landlord and tenant matters and agricultural planning and development work. I also work within the Auctioneers business clerking for sheep sales.

Outside of work, I enjoy socialising with friends, shooting, horse racing and helping out on our family farm.



### Sophie Walker

MRICS FAAV

I joined Hobbs Parker in July 2014 after graduating from the Royal Agricultural University, Cirencester with a BSc Honours in Agriculture, having first spent time at the firm in 2012 as part of a work placement.

From rural East Kent originally, I have worked in various agriculture-related roles, including at Grain Harvesters, before becoming a rural surveyor. Having completed a postgraduate degree in Rural Estate and Land Management at Harper Adams University, I became a Chartered Surveyor, Registered Valuer and Fellow of the CAAV in 2017.

My workload is varied and includes valuations, landlord and tenant matters, Basic Payment Scheme and stewardship, utilities and grant schemes.

I am most at home in the countryside and outside of work, enjoy being out and about in it. I like to shoot and ski, as well as being a bit of a petrolhead.

## Farming Transformation Fund Calf Housing and Welfare Grant announced

**Defra have recently announced the most recent Farming Transformation Fund grant theme: Calf Housing and Welfare for calves 6 months and under.**

The grant is available to cattle farmers with more than 11 head to partially fund projects to upgrade existing housing or construct new housing to provide a good ambient environment and facilitate social contact through pair or group housing.

The grant will cover calf housing buildings including A-frame buildings with four walls, mono-pitch buildings with three walls

and one open side, permanent open-sided structures with iglus or hutches and other types of buildings that meet the grant's aims. The building must be permanent and have a life span of at least 5 years.

Grants are available for a minimum of £15,000 being 40% of eligible project costs (minimum project cost £37,500) up to a maximum of £500,000.

In addition to the capital costs of the building, photovoltaic panels can be part-funded, however only 25% of eligible costs are eligible as part of the wider application.

## Sustainable Farming Incentive - rollout begins

SFI is the base-level tier of Defra's incoming Environmental Land Management (ELM) schemes and the element of ELMs with which Defra hopes most farmers will engage. It is intended to pay farmers to go above and beyond the regulatory baseline (which is still to be defined through future land use standards) with a focus on basic 'universal actions' that are needed over the whole landscape.

Earlier in August, Defra made some amendments to the 2023 SFI handbook and published voluntary "How to do the SFI actions" guidance.

Applications will start to be accepted from August under a "controlled rollout" and are to be made online through the Rural Payments Service.

The 2023 scheme, which is notably different to the 2022 scheme and Pilot, now offers 23 'actions' which are available on a pick and mix basis. There will be no mandatory combinations of actions and no minimum or maximum areas.

Agreements will be for 3 years with the start date being on the first day of the month following approval and agreement acceptance. Payments will be made automatically and quarterly. More actions will be added as the scheme expands each year so that the full set is available by the end of 2024. It will be possible to 'upgrade' agreements to add further/new actions or areas to an existing agreement at the end of years 1 and 2.



**Sophie Walker**  
Rural Surveyor  
01233 506201



A useful grant for beef and dairy farmers – we would be delighted to assist you with your application.



**Thomas Hamplett**  
Rural Surveyor  
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# Property For Sale



Land at Hazells Farm, Northfleet, Gravesend  
Durndale Farm & Wingfield Bank Farm

Arable and pastureland available as a whole or in three lots.  
Approx. 160.91 acres (total).

Guide price for whole: **£1,275,000 - £1,375,000**  
(Lot 3 is subject to an Agricultural Holdings Act 1986 tenancy)

Tydebrook Farm

Bethersden, Ashford

A small grassland farm with lawful mobile home and farm buildings available as a whole or in two lots. Approx. 60.42 acres (total).

Lot 1 Guide price: (approx. 5.65 acres) **£450,000**  
Lot 2 Guide price: (approx. 54.75 acres) **£550,000**



**Matthew Sawdon**  
Director  
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**James Hickman**  
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## Dates for your Diary

**Sunday 3rd September**

Romney Marsh Ploughing Match

**Saturday 16th September**

Weald of Kent Ploughing Match

**Wednesday 27th September**

East Kent Ploughing Match



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The articles in this edition should not be relied upon or regarded as a substitute for advice. Hobbs Parker Property Consultants LLP would be pleased to provide further information or advice on any particular issue.

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Outlook is brought to you by Hobbs Parker Property Consultants - a team of experienced Rural Chartered Surveyors and Planning Consultants dedicated to providing professional advice and services to farmers and property owners. Part of the Hobbs Parker Group of companies proudly serving the people of the south east since 1850.

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