



Application No: ..... PNG/NPU

Date Received: .....

**Working for you**

Ryedale District Council, Managing Development, Ryedale House, Malton, YO17 7HH

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**NOTIFICATION/PRIOR NOTIFICATION OF A "FLEXIBLE USE" OF AN AGRICULTURAL BUILDING AND ANY LAND WITHIN ITS CURTILAGE**

**Town & Country Planning General Permitted Development Order 1995, Schedule 2, Part 3 (as amended from 30 May 2013)**

Use of this form is optional, as the legislation does not require that you submit a form. However, this form has been designed to help ensure that you provide the information required by the legislation.

**If you require any further clarification, please contact Managing Development.**

<b>1</b>	<b>Applicant Name &amp; Address:</b>  Name:  Address:   Postcode:  Tel No:  Mobile:  E-mail:
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**2 Applicant Name & Address:**

Name:

Company Name:

Address:

Postcode:

Your Reference:

Tel No:

Mobile:

E-mail:

**3 Site Address Details:**

Please provide the full post address of the application site.

Building if named independently of address:

Address:

Postcode:

**4 The Proposal:**

The proposed use is:

Which I/we consider falls within Use Class:

A1 (shops)

Yes

No

A2 (financial and professional services)

Yes

No

A3 (restaurants and cafes)

Yes

No

B1 (business)

Yes

No

B8 (storage and distribution)

Yes

No

C1 (hotels)

Yes

No

<b>5</b>	<b>Floorspace:</b>	
	<b>EXISTING (sq. metres)</b>	<b>PROPOSED (sq. metres)</b>
	Floorspace area to be used by the proposal	
	Floor area to be used by an existing "Flexible Use"	
	<b>TOTAL:</b>	
	If the total is more than 150sq. m, please go to Q6. If the total is no more than 150sq. m:	
	i. Please state the date on which the site will be first used by the proposal	
	ii. Enclose a plan indicating the site and which buildings have changed use. You only need to notify the Council as the Local Planning Authority of the proposal and you do not need to seek whether Prior Approval is required. Please go to Declaration Q7.	
<b>6</b>	<b>Use of more than 150sq. m of a building:</b>	
	If the total floorspace above:	
	is more than 500sq. m, you will exceed the area that is allowed for "Flexible Uses" and your proposal will require full planning permission. Please complete a Planning Application Pack.	
	is no more than 500sq. m, you do need to seek whether Prior Approval is required to the noise, transport and highway impacts of the development; contamination risks on the site; and flooding risks. Please enclose a plan indicating the site and the proposal.	
<b>7</b>	<b>Declaration:</b>	
	a) I/We confirm that the building in question:	
	(i) Was solely in use for agricultural purposes on 3 July 2012 and has remained solely in use for agricultural purposes (until such time as the first "flexible" use commenced if the building is already so used)	
	(ii) is not a Scheduled Monument nor a Listed Building (which include any building within the curtilage of the Listed Building and which has been done so since before 1 July 1948)	
	(iii) is not or does not form part of a military explosive storage area nor a safety hazard area	
	b) I/we understand that this notification or prior notification (as applicable):	
	(i) relates to the use of the building only and does not grant any permission for any external alterations which must still be the subject of an appropriate planning application or application for express advertisement consent	
	(ii) does not discharge us from complying with the Buildings Regulations and the making of an application for Building Regulation Approval.	

- c) I/we understand that the property will:-
- (i) be classed as having a *sui generis* use once a flexible use has been commenced, and that the proposed use if implemented can then only be changed to any other use falling within Use Classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), B1 (business), B8 (storage and distribution), C1 (hotels), D2 (assembly and leisure) and would require a further notification or prior notification as appropriate. Any other use would require its own specific planning permission
  - (ii) once a flexible use has commenced, no longer benefit from Permitted Development Rights under Part 6 (Agricultural Buildings and Operations) of the Order, but will benefit from those rights as existing under Class B of Part 41 as modified by Class M of Part 3 comprising of the provision of a hard surface within the curtilage, or the replacement in whole or part of such a surface, up to a maximum of 50sq. m beyond that which existed on 6 April 2010.
- d) I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
- e) Where the cumulative floorspace exceeds 150sq. m, I/we apply for consent described in this form and the accompanying plans/drawings and additional information (as applicable). I/we understand that the Council as the Local Planning Authority may request that I/we submit such information regarding noise, transport and highway impacts and contamination and flooding risks as may be reasonably required. This may include:-
- (i) Assessments of impacts or risks;
  - (ii) Statements setting out how impacts or risks are to be mitigated  
(You may submit such information with this notification)

Signed by Applicant:

Or signed by Agent:

Date:

**8 If a Site Visit is necessary:**

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes

No

If the Planning Authority needs to make an appointment to carry out a site visit, whom should they contact?

Agent

Applicant

Other

If Other has been selected, please provide:

Contact Name:

Telephone No:

E-mail:

**IMPORTANT NOTES FOR CASES INVOLVING MORE THAN 150 SQ. METRES (CUMULATIVE):**

- From the date when the Local Planning Authority receives your notification (with the information required by the legislation), the Local Planning Authority has a period of 56 days to notify you of one of the following outcomes:
  - Prior Approval is not required
  - Prior Approval is given
  - Prior Approval is refused - in which case, you would have a right of appeal to the Planning Inspectorate
- As the proposal is subject to this Prior Approval procedure, it is essential that no works commence prior to any such approval or decision that such approval is not required.