



## A&R. Listed Farm Building Conversions

### A practical guide to purchase and conversion

Redundant agricultural buildings may present a perfect opportunity to create from scratch your ideal home in the country or to expand an existing home, so what should you bear in mind if you are looking to purchase and / or convert one?

For people who want a home with history and character in a rural location, converting an old agricultural building can be a great option. A farm building conversion will provide you with a unique living space full of character whilst salvaging a disused and empty agricultural building from further dilapidation and ruin.

The Government's recent amendments to the Permitted Development Rights, which came into effect in May this year, has simplified the process of changing the use of buildings from agricultural to business use and office space and there is currently consultation (expiring in October) on further residential changes. If this occurs it would appear to be a good time to consider a farm building conversion project and create your ideal home.

However, before rushing into purchasing the first empty agricultural building you find on the market, it is essential to consider the many legal pitfalls that could quickly turn your dream into a nightmare project.

Permitted Development Rights may have been relaxed and local authorities are under pressure to keep the rural economy healthy, but this does not automatically mean that all barns and buildings can now be considered as potential conversion projects.

Firstly, any building built after 3 July 2012 will have had to be used for 10 years to qualify for change of use. In addition, any building over 150sqm will still need to go through a prior notification process to alter its use from agricultural to domestic. The local authority will have 56 days to make a decision regarding the proposed change of use and how it will impact the local area.

Before purchasing any property you really need to be sure that all the necessary permission is going to be given, or you will be left with an unusable space that will be difficult to sell and it may be difficult to secure mortgage funding for such a project.

Before any building work takes place, it is important to bear in mind whether the building/s is listed or situated in a conservation area. These factors will not prevent you from converting the building, but they may hinder your building options and can turn your project into a more complicated, costly and lengthy process.

If the property is listed, Listed Building Consent must be granted before any work is carried out to the interior or exterior. Applications can take anything from 8 to 13 weeks and costs are likely to increase substantially if you have to source specific materials to match the character of the building and surrounding area.

For those living in a conservation area, there will be restrictions on your ability to alter, or add, any doors, windows, or guttering. Since former farm buildings often have limited entrances, this should be taken into consideration before purchase. It must be remembered that carrying out any unauthorised work on a listed building or causing damage to it is a criminal offence and individuals can be prosecuted.

If you are buying a listed property with redundant agricultural buildings, make sure you ask your solicitor to check whether the property listing covers just the existing residential property. Be clear what is within the 'curtilage' of the listed property as old sheds and 'newer additions' may be included as well as garden walls and other outdoor features.

Another area to look closely at is restrictive covenants when buying any property, but especially any building with a former use. Planning permission is only one aspect or hurdle to deal with: you would be wise first to ensure there is no breach of any covenant or deed restriction. A restrictive covenant could disallow the use of the land or building to be changed. In addition, there could be conditions prohibiting extensions or outbuildings.

Deed restrictions are attached to the land and consequently apply to all future owners of the property and could for example limit the number of residences built. You therefore need to ensure that the property you are purchasing does not come with any hidden restrictions. Of course these may be modified by agreement or by a Tribunal, or one might in extremis consider specialist Insurance, but it is best to be well prepared.

It is also essential to check the rights of way on the land surrounding the property. You might find you don't have the right to access the land to reach the property you would like to buy.

Find out if any previous owner/s have granted any rights of access or if there are any Wayleave Agreements to companies such as a utility company, which may have the right to construct or access power lines, a mobile phone mast or gas or water pipelines across your land.

Your peaceful, tranquil and secluded home in the countryside could quickly be ruined if you discover it is located on a busy public footpath. It can be a lengthy and costly process to redirect a footpath, and whilst your home will not be unsellable, the value of the property could be dramatically reduced. In addition, it is worth bearing in mind that if someone injures himself on your land, you may be liable. Therefore if you do decide to purchase a property with a public footpath, specialist insurance should be taken out.

Whilst you might be lured by the remote location of a former farm building, remember, they were built for animals and not people and may lack basic amenities such as running water, gas and electricity or drainage. You need to ensure that you will be able to get connected to these utilities or make alternative arrangements, which will have cost implications and agreement may need to be reached with neighbouring landowners.

Converting a former farm building can be a rewarding process and the best advice is to employ experienced advisors before commencing any project.

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This article is not intended to be a full summary of the law and advice should be sought on all issues.

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