

Brickyard Farm  
Newtown Road  
Biddulph  
Staffordshire  
ST8 7SW

Notification for Prior Approval for a Proposed Change of Use of Agricultural  
Building to a Dwellinghouse (Class C3), and for Associated Operational  
Development  
28/03/2016

## **Conversion of agricultural building at Brickyard Farm, Newtown Road, Biddulph, Staffordshire**

### **Planning Statement**



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## **1.0 Introduction**

- 1.1 This Planning Statement has been prepared on behalf of the applicant Mr Frederick Gibson to accompany a submission for prior approval for the change of use of an agricultural building to a dwellinghouse (Class C3).
- 1.2 Government introduced permitted development rights in 2014 (Class MB) to allow for the conversion of redundant agricultural buildings into residential dwellings without the need for planning permission; these rights were then confirmed in the consolidated GPDO 2015 (Part 3, Class Q). The Government's intention has been clear that these rights are to support increased housing supply in rural locations without the need to build in the countryside.
- 1.3 It is also made clear in Planning Practice Guidance that a submission to the Local Planning Authority for prior approval is a light-touch process, which applies where the principle of the development has already been established. It is also made clear that... *"It is important that a local planning authority does not impose unnecessarily onerous requirements on developers, and does not seek to replicate the planning application system."*
- 1.4 In this case the applicant is re-submitting notification for prior approval after the Local Planning Authority, refused a previous submission on the basis that the proposal would not fit within Part 3, Class Q of the 2015 General Permitted Development (England) Order. This statement

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supports the re-submission providing further evidence of the agricultural nature of the building in question (including a sworn statement from the site owner) therefore providing a sound basis on which the officer can determine the submission; after reviewing the previous report further clarity is clearly required given the assumptions made.

- 1.5 Further information relating to the applicant's current plans for the site is also provided to clarify, for the benefit of the Local Planning Authority, the relationship between the application site and the adjoining buildings.

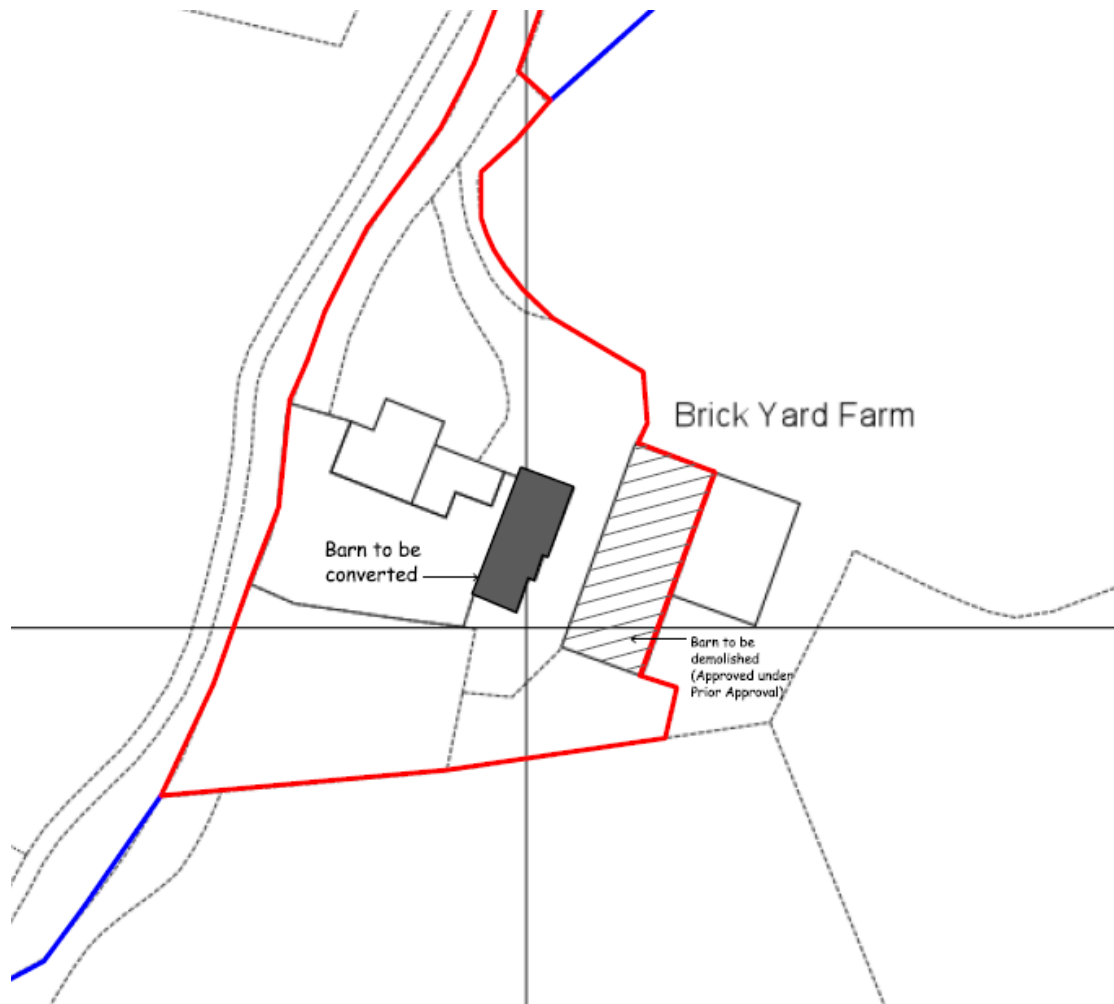
## **2.0 The Application Site and Surroundings**

- 2.1 The application site is located within the established agricultural unit known as Brickyard Farm. The site contains a number of buildings including the farmhouse and the application building, which was constructed and last in use for agriculture in support of the established unit prior to 20<sup>th</sup> March 2013. Despite assertions from the officer, following an unaccompanied site visit, there has been no material change to the use of this building since last in use; it does not function as a curtilage building incidental to the farmhouse. There are also further agricultural sheds adjoining the application building, which in part are to be demolished as evidenced by the recent submission for prior notification for proposed demolition (DET/2016/0004). The presence of further residential dwellings within the immediate locality of the site is also evident.

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2.2 The application site (as denoted by the red line on the site plan and highlighted building) consists of the redundant agricultural building together with land already contained within the established agricultural unit but available for future use as amenity space to be associated with the dwelling.



Site Plan Extract (Not to Scale)

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- 2.3 The site building is currently redundant with only items associated with the operation of the agricultural unit either stored for safety/security purposes or in order to keep them safe from weather damage; the building is not physically or functionally linked with the existing farmhouse.

### **3.0 Planning History and rebuttal to Case Officer report**

- 3.1 As noted, this submission is made following a refusal to issue prior approval by the Local Planning Authority (DET/2015/0036).
- 3.2 Taking the issues in turn the case officer visited the site and came to the conclusion that the application building was in active use for non-agricultural storage, presumably implying that a material change of use has occurred, since the building was constructed. However, the building was indeed constructed in association with the agricultural unit as evidenced by the applicant and the attached sworn statement (Appendix A). The building functioned in association with the keeping of livestock and the submitted images (Appendix B) illustrate the early construction of the southern end of the building (which the officer assumed had never been used for agricultural purposes), which was in use for the keeping of pigs for the production of food. The images show that the structure to the south was actually larger and has been reduced over time, with enhanced building materials also added to ensure the building is weather tight; with a tiled roof added over the stone flank walls. The structure has also always had openings within the façade adjoining the farmhouse therefore the noted presence of an *“up and over door”* does not depart

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from the structures layout when originally built; whether domestic in appearance or otherwise the building has clearly been constructed for agricultural purposes (in accord with the definition contained within S336 of the Town and Country Planning Act 1990) and has not changed materially since it's use became surplus to the requirements of the unit.

3.3 The remaining conditions contained within Part 3, Class Q relate to:

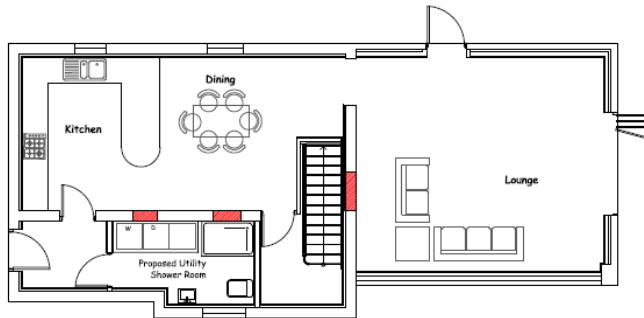
- Transport and Highway Impacts
- Noise impacts of the development
- Contamination risks on the site
- Flooding risks on the site
- **Location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses)**
- **Design or external appearance of the building**

3.4 As noted within the officer's report, it is considered that the location of the building makes it unsuitable for residential use, citing issues relating to light restrictions and the overbearing impact of the adjoining metal structures within the agricultural unit. The proposed layout and elevations are pictured below:

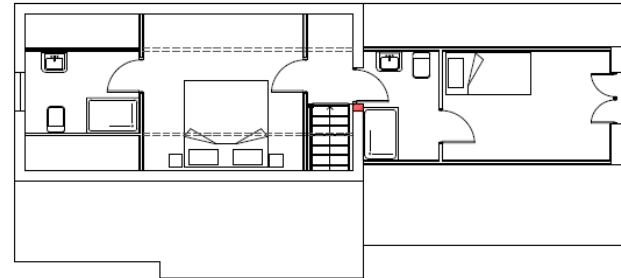
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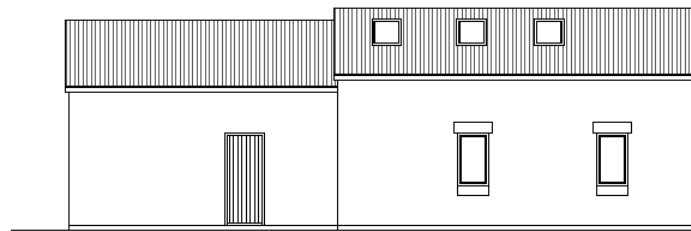
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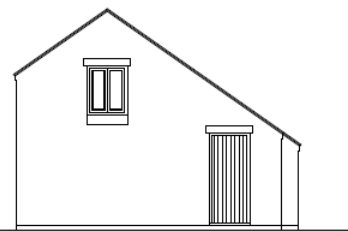
Proposed Ground Floor Layout



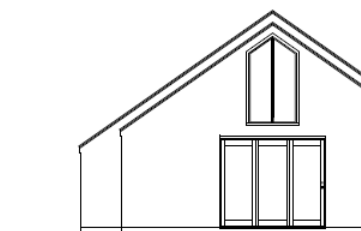
Proposed First Floor Layout



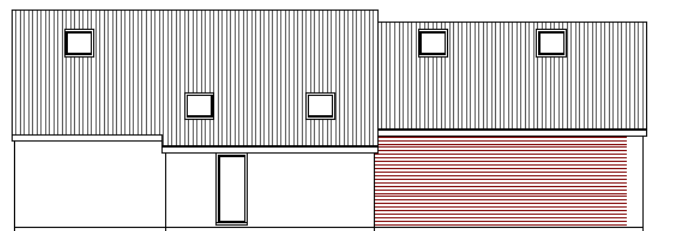
Proposed West Elevation



Proposed North Elevation



Proposed South Elevation



Proposed East Elevation

As can be seen from the proposed floor plans there would be no direct interaction or loss of privacy between the existing farmhouse and the proposed dwelling conversion therefore no justified concern from the Local Planning Authority. In respect of the layout and relationship with the



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adjoining buildings; it is clear from the recently approved submission (DET/2016/0004) that the applicant is in the process of demolishing the adjoining metal structure therefore relieving concern regarding the space about buildings and the potential for an overbearing impact upon any future occupants of the property. Whilst the officer also suggested that no amenity space would be provided for the converted building it is now made clear within this submission that dedicated areas of amenity would be provided with the converted structure, which is apparent on the proposed red edge site plan attached to the submission. It shows a large degree of amenity land available to the converted dwelling; albeit without physically demarcating the space (and therefore protecting the rural character of the site) it is clear that future occupants would enjoy a large degree of amenity space.



**Existing barn structure to be demolished in accordance with approved method**

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- 3.5 Contrary to the officers previous report, the reasonably required alterations to the structure are considered to represent sensitive interventions to the building, which is intrinsically rural in character and has been altered organically over time with the needs and progress of the agricultural unit. To suggest that the building's conversion and use as a dwelling would be compromised by its appearance would seem unfounded in design terms and run contrary to the Government aim of increasing housing supply in such locations. It would also appear to be an overly officious stance contrary to the published planning practice guidance quoted in paragraph 1.3 of this statement.

## **4.0 Conclusion**

- 4.1 This submission is made following initial refusal by the Local Planning Authority to grant prior approval for conversion of a redundant agricultural building, within Brickyard Farm into a residential dwelling under the rights afforded under Part 3, Class Q of the GPDO 2015.
- 4.2 This statement clarifies the previous use of the building, confirming its use as an agricultural building (under S336 of the Planning Act) and that it has remained in such use prior to 20<sup>th</sup> March 2013, following which it has become largely redundant but not materially altered. This is evidenced by a sworn statement provided by the applicant and provided with this submission.

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- 4.3 Further to recent confirmation that the adjoining barn structure is to be demolished the applicant has taken clear steps to begin this process and is clear that this would remove any justified concerns relating to the future quality of living accommodation provided within the buildings.
- 4.4 Accordingly the Local Planning Authority are requested to confirm that prior approval is not required for this conversion in accordance with the requirements of Part 3, Class Q.
- 4.5 Finally if there are any concerns or queries from officers, in the spirit of being proactive, the applicant requests that contact is made with their agent in advance of any formal determination.

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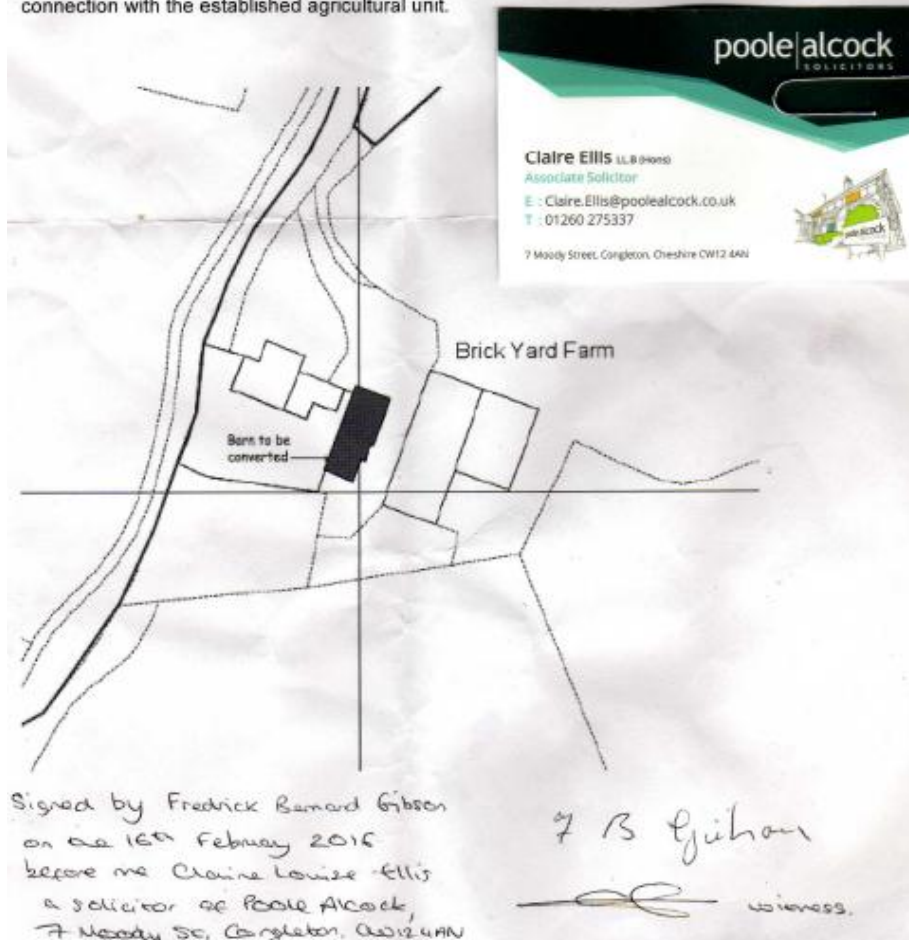
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## Appendix A – Sworn Statement

### Sworn Declaration in respect of Brickyard Farm, Newtown Road, Biddulph

I declare that in respect of the barns located within the location plan provided below (shaded in grey) that all structures were constructed for the purposes of agriculture (as defined by Section 336 of the Town and Country Planning Act 1990) as part of the established agricultural unit known as Brickyard Farm. When last in use (prior to 20<sup>th</sup> March 2013) these structures were in continuing use for agricultural purposes in connection with the established agricultural unit.



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## Appendix B – Site Images





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