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PLANNING STATEMENT

Change of Use of Agricultural Building to a Dwelling under Class Q of the General Permitted Development Order

HAYES GATE FARM, STAR BANK, OAKAMOOR

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Document Control Sheet

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Version	File Name	Description	Prepared	Checked	Date
1	1552_01_PS	Draft	MB	DC	19/09/17
2	1552_02_PS	Final	MB	DC	19/09/17

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1 INTRODUCTION

1.1 Planning Design Practice is a town planning and design consultancy with chartered town planners and an architectural design team. The practice operates across the UK and, with over 70 years combined experience in the team, the company has an excellent record of success.

1.2 This application is submitted in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 No. 596.

1.3 Class Q (a) of the above Order grants permitted development rights for the change of use of agricultural buildings and any land within their curtilage to dwellinghouses falling within Class C3 of the Use Classes Order. Class Q (b) allows any building operations reasonably necessary to convert agricultural buildings to dwellings.

1.5 Class Q requires that for proposals relating to the change of use of an agricultural building and its curtilage to a dwellinghouse, a determination should be made as to whether the prior approval of the local planning authority will be required regarding:

- transport and highway impacts of the development;
- noise impacts of the development;
- flooding risks on the site;
- risk of contamination;
- whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a dwellinghouse; or
- the design or external appearance of the building.

2 THE SITE AND PLANNING HISTORY

2.1 The application site comprises an agricultural building at Hayes Gate Farm, Oakamoor. The site lies within open countryside approximately 2km north east of Oakamoor. The site is located on the eastern side of Star Bank (B5417) and forms one of a number of agricultural buildings that include both traditional stone buildings and modern portal frame buildings. This Class Q proposal relates to a large modern portal frame building that is on south side of the access track and to the west of the two stone barns.

2.2 There is an existing vehicular access to the north of the land providing access to the site and the land is bounded by hedging and mature trees on all sides. The building sits in a wider landscape context of undulating countryside. There are attractive views in all directions, but particularly to the south of the building.

2.3 The surrounding land use is predominantly agricultural. There is one residential property, which shares the access with Hayes Gate Farm. To the north, south and west are open fields. To the east is a woodland.

2.4 The building is currently vacant having been in agricultural use before 20th March 2013. It is structurally sound and is capable of accommodating the required alterations necessary for a residential conversion.

2.5 The site and existing buildings are shown in the aerial photograph on the following page.



Figure 1 Aerial photograph of site.

2.6 The existing barn is enclosed on four sides. There is an open 'lean-to' on the south elevation which will be dismantled as part of this proposal. The walls are finished in timber cladding above concrete block work with a corrugated sheet roof.

2.7 The building is part of a well-established agricultural holding and part of a wider complex of agricultural buildings which form Hayes Gate Farm.

3 PROPOSED DEVELOPMENT

3.1 The barn will be converted into a single dwelling using the existing form and structure of the building to provide a contemporary 3 bedroom dwelling with a spacious living area.

3.2 The floor space of the building, measured externally, remains unchanged at 224m^2.

3.3 The proposed site plan demonstrates that the curtilage of the dwelling is no larger than the footprint of the existing agricultural building at 224m^2

3.4 There have been no previous dwellings on the agricultural unit formed under Class Q permitted development rights. The applicant has not exercised any permitted development rights under Class A (a) or Class B (a) of Schedule 2, Part 6 of the GPDO since 20th March 2013.

3.5 The site is not occupied under an agricultural tenancy, and is not affected by any of the constraints set out in criteria (j) to (m) of Paragraph Q.1.

3.6 Class Q (b) of the GPDO allows building works reasonably necessary to convert the buildings to residential use. Paragraph 105 of the National Planning Practice Guidance (ID 13-105-03052015) clarifies the extent of building works permitted by Class Q (b). It states "*it is not the intention of the permitted development right to include the construction of new structural elements for the building. Therefore it is only where the existing building is structurally strong enough to take the loading which comes with the external works to provide for residential use that the building would be considered to have the permitted development right*."

3.7 The building has a substantial steel frame and is structurally sound. The proposals involve the use of the existing timber and non-structural blockwork and the existing steel framework.

3.8 The proposals therefore satisfy all the relevant criteria set out in Paragraph Q.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 No. 596.

3.9 Details of the existing and proposed site layout are included with this submission.

4 ASSESSMENT AGAINST CRITERIA IN CLASS Q

4.1 Paragraph Q.2 of the GPDO requires the local planning authority to assess the proposal solely on the basis of its impact in terms of transport and highways, noise, contamination, flooding, whether the location or siting of the building make it otherwise impractical or undesirable for the change of use and the design and external appearance of the building.

Transport and Highway Impacts

4.2 Paragraph 32 of the NPPF states that "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*".

4.3 The site is accessed via Star Bank (B5417) which is an adopted, classified highway and visibility is good in both directions from the site entrance. The use of the building as a single dwelling would generate minimal vehicle movements and a safe and suitable access can be accommodated as part of the proposed development.

4.4 For the reasons set out above, it is concluded that the proposals would not prejudice the safe or efficient use of the highway network.

Noise Impacts

4.5 The application site is situated in a relatively tranquil area remote from noise generating uses. It is not therefore considered that the amenities enjoyed by future occupiers of the buildings would be unacceptably affected by noise.

4.6 The proposed dwelling is sufficiently distant from other residential properties to avoid causing any unacceptable impacts upon the amenities enjoyed by their occupiers.

4.7 For the above reasons, the use of the building for residential purposes would not impact adversely on any other nearby properties and the amenity of any future occupants would not be compromised.

Contamination Risks

4.8 The building was last used for the storage of hay, fodder and implements and not used to house livestock. The land has been used for agricultural purposes for many years and the buildings were in agricultural use on the 20th March 2013. It is therefore unlikely that there have been any contaminants which would pose any risk to a sensitive end use such as residential.

Flooding Risks on the Site

4.9 The Environment Agency's flood maps show the site as being within Flood Zone 1 where there are no significant or unacceptable risks to residential development. The development would not materially increase flood risk within the locality as the building and surfaced access track are existing features.

Design and External Appearance

4.10 The design and external appearance of the buildings has been very carefully considered to ensure that building operations are only those reasonably necessary to convert the building. The proposals will not result in any significant change to the appearance of this group of buildings and as such the rural character of the locality will be preserved.

4.11 The existing building is enclosed on four sides and is capable of performing the primary function of a dwelling; to provide a secure environment with shelter from the elements. The additional external alterations required are simply those necessary for the building to function as a modern dwelling and to meet modern building standards.

4.12 The internal building works required to insulate, partition and provide the normal features of any modern dwelling do not require consent. The works are wholly internal and will not materially affect the eternal appearance of the dwelling and are not, therefore, defined as development as defined by Section 55 of the Town and Country Planning Act (2015). Therefore this application seeks consent for the change of use of the building and the external works permitted which are permitted by virtue of Class A (a) and Class B (a) of Schedule 2, Part 6 of the GPDO.

4.13 As part of the design process a structural survey was commissioned to investigate the suitability of the building's structure to accommodate the works required to convert it into a dwelling. The report concluded that the building is suitable for conversion and that it requires no additional structural elements to facilitate the conversion.

4.14 The General Permitted Development Order as amended (2016) is explicit in listing the external alterations that are permitted under Class Q (b) provided they are reasonably necessary for the conversion of the building in to a dwelling. The proposed external works have been designed in accordance with this criteria.

4.15 The proposed elevations show a contemporary take on the traditional barn conversion. The existing building will continue to provide the primary form, the proposed alterations are adaptations to an existing, substantial structure that maintain the essential character of the building and therefore constitute conversion. The existing block work and timber cladding will be maintained and continue to define the external appearance of the building.

4.16 The design of the windows using existing openings and the form of the new openings protect the essential character of the building. All openings celebrate the characteristic form of the agricultural building and are designed to accentuate this aspect.

4.17 The proposed design retains the agricultural character of the buildings whilst adhering to the legislative framework established by Class Q (b). This has been achieved by retaining the

structural steel frame, external walls and roof and providing only those external alterations reasonably necessary for the building to be converted into a dwelling.

4.18 The land around the dwelling will be attractively landscaped. The garden will not be unduly prominent within the countryside as it will be viewed in the context of existing built development.

4.19 As a result, the proposal will enhance the buildings and their immediate setting. The proposals are fully in accordance with Paragraph 55 of the NPPF.

Location and siting of the building

4.20 There is a degree of inevitability that agricultural buildings across the country will not usually be located in or immediately adjacent to existing settlements, hence they will rarely meet the normal locational sustainability tests.

4.21 This is acknowledged by Paragraph 108 (ID 13-108-20150305) of the National Planning Practice Guidance, which states *"the permitted development right does not apply a test in relation to sustainability of location. This is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs. Instead, the local planning authority can consider whether the location and siting of the building would make it impractical or undesirable to change use to a house".*

4.22 Paragraph 109 (ID 13-109-20150305) provides an interpretation of what constitutes impractical or undesirable circumstances for a residential change of use. It confirms that "*the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would "not be sensible or realistic", and undesirable reflects that it would be "harmful or objectionable".*

When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval.

There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access, power source or other services its conversion is impractical. Additionally the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.

When a local authority considers location and siting it should not therefore be applying tests from the National Planning Policy Framework except to the extent these are relevant to the subject matter of the prior approval".

4.23 The application site lies within a rural location. It is not in a position where the local planning authority would normally grant permission for a new dwelling, but Paragraph 108 of the NPPG makes it clear that is not a sufficient reason to refuse prior approval. The farm already benefits from ready access to power and utilities. The site has access to the highway network.

4.24 The building is remote from any uses incompatible with residential development. There are no hazardous or noisy activities operating within the area. The adjacent barn is within the applicant's ownership and will not accommodate any farm animals on completion and occupation of the dwelling to avoid causing any unacceptable impacts upon the amenities enjoyed by their occupiers.

4.25 The proposed dwelling is sufficiently distant from other residential properties to avoid causing any unacceptable impacts upon the amenities enjoyed by their occupiers.

4.26 For the reasons outlined above, the location or siting of the buildings does not make it impractical or undesirable for them to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Use Classes Order.

5 CONCLUSIONS

5.1 The building is in agricultural use and has been so since before 20th March 2013. It is structurally sound and capable of accommodating the alterations required to facilitate residential conversion. The proposal satisfies the relevant criteria set out in Paragraph Q.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 No. 596. The conversion to residential use does not therefore require planning permission.

5.2 The proposed dwelling would not unacceptably impact upon the safe or efficient use of the highway network, would not give rise to any unacceptable noise impacts, would not increase flood risk and is not at risk from contamination. The building is sited in a rural area, but is in close proximity to the highway network to which it is connected to by an existing surfaced access. The building is situated in close proximity to the other built development on the site and has nearby access to power and utilities. The proposed dwelling is not situated in close proximity to any other uses which are incompatible with residential use. Residential use is not therefore impractical or undesirable in this location.

5.3 The external alterations to the buildings have been sensitively designed to respect the agricultural character of the existing building and its rural surroundings. The proposals enhance the building and its immediate setting through modest external alterations which will provide an attractive internal living environment.

5.4 The proposed development therefore constitutes permitted development under Class Q of the GPDO.

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