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CONSULTANCY

Planning Statement

Back Lane Farm
Bottomhouse
Leek
ST13 7PJ

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This Planning Statement is submitted in support of a prior approval application for the change of use and alteration of an existing agricultural building into a dwelling house (Use Class C3) in pursuant to the provisions of Class Q under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

At Back Lane Farm, Bottomhouse, Leek, Staffordshire ST13 7PJ

The application site is owned by Mr B Rowlinson ('The Applicant') and the building is currently used for agricultural storage.

INTRODUCTION

Back Lane Farm is situated within the hamlet of Bottomhouse, approximately 2.5 miles from the village of Waterhouses and approximately 5.2 miles from the market town of Leek. The application site enjoys an elevated and screened position within a Moorlands farmstead which has been farmed by the Rowlinson Family for over 70 years and it is their intention to continue farming on these premises.

PROPOSAL

Following the decision of application SMD/2018/0012 granting the removal of condition 2 relating to application 12/00285/FUL, we now submit a proposal, as intended, for the conversion and alteration of the current agricultural building into a use falling within Class C3 (dwelling house) of the Schedule to the Use Classes Order 1987.

As specified in the planning statement for application SMD/2018/0012, it is the intention (subject to consent) to create an ancillary dwelling to the main farmhouse, meaning that the curtilage would remain unfragmented and the holding would continue as one. Therefore, it is considered that this would not have an undesirable effect on Back Lane Farm or the surrounding area.

Scale

The existing building is two storeys and is constructed of traditional stone with plain tile roofing, inclusive of a lean-to extension constructed in block work with metal sheet roofing.

The proposal will comprise of an open plan kitchen diner, living room, downstairs W.C and shower room, 3 bedrooms (one ensuite) and a family bathroom.

The proposal also includes reasonably necessary operational development to allow the building to function as a dwelling. This is in the form of installing 3 new windows and 1 door to the rear of the property and replacements into existing openings. It is also proposed that the lean-to extension is altered to aesthetically blend in with the remainder of the building, e.g. Metal sheet roofing to original Staffordshire Blue tile and any block work to stone. All other works proposed are internal and thus do not amount to development that would require planning permission.

The scale proposed is consistent with the existing building and properties within the surrounding area.

Planning Assessment – Class Q

This planning statement has been prepared to demonstrate compliance with the proposal against the relevant provisions of Class Q within the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO 2015), whilst also considering the provisions of the Planning Practice Guidance.

The provisions laid out within the GPDO 2015 allow for development comprising of the change of use of a building and any land within its curtilage from use as an agricultural building to a dwelling house (Class Q). In addition, there are provisions to allow for building operations that are reasonably necessary to convert the building into a dwelling house. The order states that development is not permitted by Class Q if:

1. *(a) the site was not used solely for an agricultural use as part of an established agricultural unit—*

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

The agricultural building proposed for conversion was used on 20th March 2013 for agricultural storage in connection with the farming operations taking place on the unit, therefore the proposal accords with section (a).

2. *(b)the cumulative floor space of the existing building or buildings changing use under Class Q within an established agricultural unit exceeds 450 square metres;*

The existing building has a floor space of approximately 193.48m^2, therefore complying with section (b).

3. *(c) the cumulative number of separate dwelling houses developed under Class Q within an established agricultural unit exceeds 3;*

This application proposes to create one dwelling house, thus complying with section (c).

4. *(d) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;*

AND

(e)less than 1 year before the date development begins—

(i)an agricultural tenancy over the site has been terminated, and

(ii)the termination was for the purpose of carrying out development under Class Q,

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

The site is not subject to any tenancy agreements, thus meeting with the requirements of section (d) and (e).

5. *(f) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—*

(i)since 20th March 2013; or

(ii)where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

There has been no development carried out on the site under Class A(a) or Class B(a) of Part 6 of the GPDO 2015 since the 20th March 2013.

6. *(g) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;*

The proposed development will not result in the external dimensions of the building extending beyond the external dimensions of the existing building, therefore this complies with section (g).

7. *(h) the development under Class Q (together with any previous development under Class Q) would result in a building or buildings having more than 450 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;*

The proposal consists of the change of use of approximately 193.48m^2 of floorspace and there have been no other submissions on this site under Class Q, thus meeting the requirements of section (h).

8. *(i) the development under Class Q(b) would consist of building operations other than—*

(i)the installation or replacement of—

(aa)windows, doors, roofs, or exterior walls, or

(bb)water, drainage, electricity, gas or other services,

to the extent reasonably necessary for the building to function as a dwelling house; and

(ii)partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);

In line with Staffordshire Moorlands District Council's Design Guidance, every effort has been made to maximise the use of existing openings to provide natural light for darker rooms. Any new door and window openings/enlargements are considered to be essential to provide for everyday living.

The proposal includes the installation of windows and doors into existing openings within the building and proposes 3 new windows and 1 new door to the rear of the property in order to allow the building to function as a dwelling. They will not materially detract from the character and appearance of the building, therefore meeting with the requirements for section (i).

The alteration of block work to stone and metal sheet roofing to Staffordshire Blue Tile on the lean-to extension will be reasonably necessary building operations.

9. *(i) the site is on article 2(3) land;*

The site is not located on article 2(3) land, therefore meeting the requirements of section (i).

10. *(k) the site is, or forms part of—*

(i)a site of special scientific interest;

(ii)a safety hazard area;

(iii)a military explosives storage area;

The site is not and does not form part of any of the designations mentioned above, therefore meeting with the requirements of section (k).

11. *(l) the site is, or contains, a scheduled ancient monument;*

The site is not and does not contain a scheduled ancient monument, thus complying with the requirements of section (l).

12. *(m) the building is a listed building;*

The proposed agricultural building is not a listed building, thus according with the requirements of section (m).

As demonstrated above, the proposal is considered to meet with the requirements for development under Class Q, thus amounting to permitted development subject to the prior approval conditions laid out in section Q.2(1).

CONDITIONS

Class Q.2(1) states that prior to commencing the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the Authority will be required as to the following matters which will be considered below:

(a) Transport and highways impacts of the development,
(b) Noise impacts of the development,
(c) Contamination risks on the site,
(d) Flooding risks on the site, or
(e) Whether the 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) of the Schedule to the Use Classes Order; and
(f) The design and external appearance of the building.

Transport and Highways

Access to the application site will be through the existing access that currently serves Back Lane Farm. This is taken directly off the public highway known as Fairview Road (affording good visibility) via a right of way access track. No improvement works are required to accommodate the proposed development.

There are public transport links from Leek to Ashbourne running Monday-Saturday which passes through the village of Winkhill, approximately 0.5 miles from the application site.

The proposed development will therefore avoid any adverse impacts to highway safety, therefore meeting the requirements of section Q.2(1)(a).

Noise

The proposal to convert an existing agricultural building into a dwelling will not derive any adverse noise impacts for future occupants of the dwelling as there are no nearby sources of noise that are likely to adversely impact on them. In addition, as the dwelling is intended to be ancillary to the main farmhouse, there will be no third-party residents. Therefore, this accords with the requirements of section Q.2(1)(b).

Contamination Risks

Back Lane Farm has historically been used for agricultural purposes and has not been used for any other purpose that may give rise to concerns about contamination. In addition, there are no uses in the immediate vicinity that may raise issues regarding pollution or contamination risks. Therefore the proposal accords with the requirements of section Q.2(1)(c).

Flooding Risks

Back Lane Farm enjoys an elevated position and is not located within any flood risk zones as shown in Figure 1.

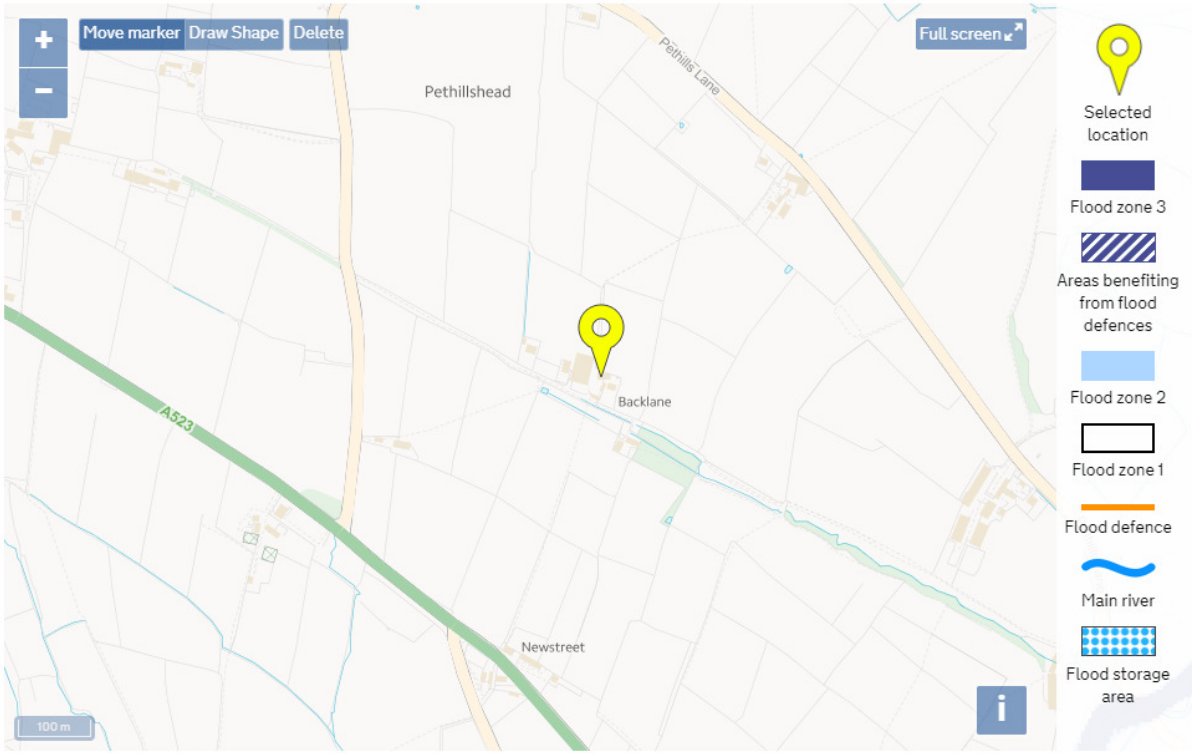

Figure 1 - Flood Risk Map for Planning

This therefore demonstrates compliance with the requirements of section Q.2(1)(d).

Location and Siting

On the 5th March 2015, the Government released Planning Practice Guidance in relation to location sustainability as the permitted development right recognises that many agricultural buildings will not be in a location where the local authority would usually grant permission for a new dwelling, e.g. in a village settlement which 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 its use to a house of which examples were provided such as where the site has inadequate access or services (impractical) or it is adjacent to objectionable activity (undesirable).

In this case the application site benefits from existing vehicular access and has existing service connections available to facilitate the proposed development. The building will not be located close to any intensive or harmful uses that would create any adverse impacts to residential amenity.

This application is accompanied by an ecological bat survey which has not found any presence of bats roosting within the building and has been deemed as having **'low'** potential to support roosting bats and **'low'** potential to support nesting birds. However, it is the applicants intention to supply bat boxes situated on the buildings

externalities. Therefore, the conversion would have no adverse resultant impact on this species. Subsequently, this all demonstrates compliance with section Q.2(1)(e).

Design and External Appearance

The conversion will be handled sensitively to respect and enhance the current appearance and location of the building whilst ensuring suitability for everyday living.

As the building will remain relatively unchanged, it is considered that the proposed development will not be visually intrusive into the existing landscape and will remain commensurate with the character of the area. It is proposed that the lean-to extension is altered to aesthetically blend in with the remainder of the building, e.g. Metal sheet roofing to Staffordshire Blue Tile and any block work to stone.

The attached drawings provide an illustration of the proposed elevations and layout of the development.

All windows and doors will be replaced on a 'like-for-like' basis with new installations to match to limit the extent of external changes in appearance and to ensure the original character of the building is retained.

The external surroundings of the application site will remain unchanged as there is no intention to create any garden/amenity space to accommodate the proposed development.

The development will not have a detrimental impact on the neighbouring residential property and there will be no overlooking within the immediate area.

PLANNING POLICY

This application has taken into account the Staffordshire Moorlands Local Plan (Adopted 2014), the National Planning Policy Framework, the design guidance for conversions as set out in the "Design Principles for Development in the Staffordshire Moorlands" document and any relevant case law that has shaped this legislation in recent years.

Case Law

The 2016 High Court case of *Hibbitt v Secretary of State for Communities and Local Government* clarified that a building must be suitable for 'conversion' into a dwelling. This meaning that any re-building work which would go beyond what is reasonably necessary for the conversion of the building to residential use is not within the scope of Class Q.

With regards to the Hibbitt case, we have clearly demonstrated that the external works would not amount to a 'rebuild' and are confined to a 'conversion' as defined by paragraph 105 of the NPPG.

National Planning Policy Framework (NPPF)

Paragraph 79(c) of the new NPPF clearly states that planning policies and decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting.

In this case, the current agricultural building is now surplus to requirements and its change of use would enhance the curtilage in which it is set. In addition, due to the nature of the intended development in that the building would be ancillary to the main farmhouse; it is therefore considered that the proposal would not create an isolated dwelling in the countryside due to its proximity to the main farmhouse at Back Lane Farm.

Staffordshire Moorlands Local Plan

Policy SS6b (Smaller Villages Area Strategy) supports development in these areas and recognises the importance of preserving local communities in rural areas. It is considered that the adjacent village of Winkhill provides services that are utilised and supported by the Hamlet of Bottomhouse, e.g. transport links, farm shop etc. It states that "a major issue for smaller villages is the loss of local population through the lack of housing opportunities. The proposed strategy for the smaller villages therefore seeks to allow an appropriate level of sensitive development which enhances community vitality."

Policy SS6c (Other Rural Areas Area Strategy) comprise the countryside and the green belt outside of the development and infill boundaries of the towns and villages, as defined in the Site Allocations DPD, including those small settlements and dispersed developments not identified in Policies SS5, SS6a and SS6b. It also outlines the support for "allowing the conversion, extension or replacement of an existing rural building in accordance with policies R1 and R2." Policy SD1 also supports proposals relating "to the conversion or reuse of a rural building in accordance with policy R2." Bottomhouse itself is classified as a Hamlet, therefore its predominantly open character and loose-knit nature makes infilling and the definition of an Infill Development Boundary inappropriate. New housing in these settlements and hamlets will be similarly restricted to meeting the requirements set out in Policies H2 and R2.

Policy R2 (Rural Housing) sets out the forms of permitted housing development in rural areas which allows for the conversion of non-residential rural buildings for residential use where "the building is suitable and worthy in physical, architectural and character terms for conversion" and "conversion to residential use would enable a building of particular merit to be safeguarded."

In addition, the Strategic Housing Market Assessment for Staffordshire Moorlands in 2017 noted that 99 dwellings were completed within the district, despite an annual

target of 300 completions. In view of the housing shortfall it is contended that the proposal should be considered in the context of the presumption in favour of sustainable development, as established by Policy SS1a of the Core Strategy.

The application site is also located within the jurisdiction of the Churnet Valley Masterplan Supplementary Planning Document (SS7). However, Bottomhouse is not designated as a main Character Area, Gateway or Hub for which there are specific strategies.

Design Principles for Development in the Staffordshire Moorlands

This supplementary planning document has been followed closely when considering the design and layout aspects of the development. This is to ensure that the features and characteristics which make the Moorlands so unique are retained and enhanced to provide an aesthetically pleasing development that sympathetically blends in with the rural landscape, whilst allowing ease for everyday living.

SUSTAINABILITY

- Waste and Recycling – The use of the development will generate no more than the average amount of household waste and would not require any more than the standard two-week waste collection of recyclable and non-recyclable materials. The recycling bins will be left in the same location as the bins from the main farmhouse to enable ease for the Local Authority on collection day.
- Public Transport – There are public transport links from Leek to Ashbourne running Monday-Saturday which passes through the village of Winkhill, approximately 0.5 miles from the application site.
- Energy Efficiency – The development will, where possible, use energy efficient apparatus to strive for the optimum Energy Performance Rating.

CONCLUSION

In conclusion, the proposed application is therefore considered to accord with the provisions of Class Q laid out in the GPDO 2015, relevant policies of the Staffordshire Moorlands Core Strategy and guidance contained within the National Planning Policy Framework. It is also considered that this development will assist in fulfilling the Council's target in providing for the current housing demand in the Staffordshire Moorlands. Therefore, the Applicant respectfully seeks permission for this development.

Miss Amy L Turner BSc (Hons)

For and on behalf of Chandler Watson Consultancy

August 2018