JMIPlanning
Town Planning Consultants
+44 (0) 1889 566107
enquiries@jmiplanning.com
jmiplanning.com

Supporting Statement in relation to an application for prior approval under Class Q for the conversion of agricultural buildings to form two dwellings

Shaw Walls Farm, Whiston

November 2018

Project	Shaw Walls Farm, Shaw- Wall Lane Whiston, ST10 2HS
Client	Mr and Mrs Bennett
Reference	664
Project Team	Jon Imber/ Teodora Golemdzhiyska
Version	1

Document Produced by:

JMI Planning Limited
62 Carter Street
Uttoxeter
Staffs
ST14 8EU

Phone: 01889 566107
Email: enquiries@jmiplanning.com

www.jmiplanning.com

Contents

1 Introduction 3
2 Site and Planning History 4
3 The Proposed Development 5
4 Assessment against Paragraph Q.2 (1) of the GDPO 8
Transport and Highway Impacts 8
Noise impacts 8
Contamination Impacts 9
Flooding Impacts 9
Location and Siting of the Building 9
Design and External Appearance of the Building 11
6 Conclusions 12

1 Introduction

1.1 JMI Planning is a Midlands based town planning consultancy. Its directors are chartered town planners with over 30 years' combined experience in both the public and private sector.

1.2 The author of this statement, Teodora Golemdzhiyska graduated from University of Liverpool with a 1st Class Masters in Town and Regional Planning. She is a Licentiate Member of the Royal Town Planning Institute and is currently working as a Graduate Planner in the private sector.

1.3 This statement accompanies an application submitted under Class Q(a) and Class Q(b) of the Town and Country Planning (General Permitted Development) Order 2015.

1.4 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 and the Use Classes order. Class Q (b) allows any building operations reasonably necessary to facilitate this change of use.

1.5 Condition Q.2 (1) requires that for proposals seeking the change of use of an agricultural building to a dwellinghouse together with associated external alterations, the developer must first submit an application to ascertain 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;
- Contamination risks on the site;
- Flooding risks on the site;
- 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

1.6 This application is accompanied by existing and proposed plans and drawings.

2 Site and Planning History

2.1 Shaw Walls Farm is a working farm located approximately 1.8km north-east of the village of Whiston. The site comprises a farm house and associated agricultural buildings including a set of brick, stone and tile barns, and a cluster of more contemporary metal framed agricultural buildings. The holding is farmed by the applicants, Mr and Mrs Bennett.

2.2 The surrounding area consists of agricultural fields with some interspersed farmsteads, which make up the wider landscape setting.

2.4 The site is accessed from Shaw-Wall Lane via a track which provides separate access to the contemporary agricultural buildings and the main farm yard, and another access for the farm house and adjoining brick barns. The access is provided with good visibility, and is utilised currently for agricultural purposes. The adjoining highway is a lightly trafficked, small country lane and is not conductive to high vehicle speeds.

2.5 In terms of planning history, the most recent works on site consist of repair works to the northernmost brick barn (SMD/2009/0305) including the refacing of the exterior wall with a new brick skin and insulated cavity to front and south elevations.

2.6 The site and its surroundings are shown on the following aerial photographs:



Figure 1- Site and surroundings

3 The Proposed Development

3.1 Shaw Walls Farm is a working farm, predominantly rearing cattle. Mr and Mrs Bennett have been dedicated to farming the land at the farm for a significant period of time.

3.2 The brick barns in question are split into several separate buildings and currently, only one of these is occupied by cattle, whilst the others are used for implement storage. The buildings are becoming underutilised and the applicant is struggling to find an alternative use for the barns to be used as part and parcel of the agricultural holding.

3.3 The barns are of a substantial construction and are an excellent example of traditional rural agricultural buildings and as such are worthy of retention. Mr and Mrs Bennett have two daughters who have grown up on the farm and are coming up to an age

where they would like their own property. Given this, Mr and Mrs Bennett propose to convert the brick and stone barns to form two dwellings with the intension of being passed down to their daughters.

3.4 Permission is therefore sought to convert the set of brick and tile barns to create two residential properties.

3.5 The barns are currently used for agricultural activities as part of the established holding at Shaw Walls farm and as such the development is in accordance with paragraph Q1 (a).

3.6 In planning terms, the scheme results in the formation of two larger dwelling houses, which paragraph Q.1 (b) permits the creation of three larger dwellinghouses. The floor space provided by the dwellings is approximately 416sqm, which is in the remits of the permitted 465sqm allowed by Q.1 (b) (i) (bb).

3.7 There has been no other development under Class Q within the established agricultural unit and the proposal therefore complies with paragraph Q.1 (d).

3.8 In accordance with paragraph Q.1 (e) to (g) the site is not occupied under an agricultural tenancy and there has been no development under Class A(a) and Class B (a) of Part 6 of this Schedule.

3.9 The proposed conversion scheme remains within the envelope of the original building and no extensions are proposed. Necessary external alterations are limited to the installation of doors and windows within existing openings, and the internal insulation of walls as permitted by the regulations. The northernmost barn has previously had a new brick skin and insulated cavity to the north and south elevations. The buildings

will be insulated internally to meet the requirements of the Building Regulations. Therefore, the proposed alterations do not constitute structural works and are permitted by Class Q (b).

3.10 In terms of external alterations, the brickwork and stonework of the barns is in good condition and the existing structures are capable of accommodating the conversion with only very limited work, including minor repair works. Class Q (b) of the GDPO allows building works reasonably necessary to convert the building to residential use, and the applicant intends to exercise these permitted development rights. Paragraph 105 of the National Planning Practise Guidance (ID 13-105-03052015) clarifies the extend of building works permitted by Class Q (b). It states *'it is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right'.*

3.11 The proposals involve the conversion of traditional rural agricultural buildings. The buildings are enclosed on all sides and internally appear structurally sound. The buildings are therefore suitable for residential conversion with minimal alterations.

3.12 The site is not affected by any of the constraints identified in criteria (j) to (m) of Paragraph Q.1.

3.13 The proposals therefore satisfy all relevant criteria contained within Paragraph Q.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The proposals therefore constitute permitted development.

4 Assessment against Paragraph Q.2 (1) of the GDPO

4.1 Paragraph Q.2 (1) of the GPDO sets out the range of issues that the local planning authority can take into consideration in determining applications under Class Q. It instructs that local planning authorities assess proposals solely on the basis of their impact in terms of transport and highways, noise, contamination, flooding, and whether the location or siting of the buildings make it otherwise impractical or undesirable for the change of use. The associated alterations to the building submitted under Class Q (b) are to be assessed with regard to the design and external appearance of the building.

Transport and Highway Impacts

4.2 Paragraph 109 of the National Planning Policy Framework states that *"development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".*

4.3 The proposals utilise the existing access from Shaw-Wall Lane which is lightly trafficked and is afforded with good visibility in both directions, and vehicle speeds on the lane are low. The access has previously been utilised by farm related traffic and is therefore sufficiently wide to accommodate the proposed use. The minimal traffic generated by the additional residential units would not therefore prejudice the safe or efficient use of the adjoining highway network.

Noise impacts

4.4 The application site is located in a rural area and the site is immediately adjoined by agricultural fields set within rolling countryside. As the proposal is for residential

purposes, the noise generated will be no more than that of an agricultural farm building.

4.5 The agricultural buildings immediately neighbouring the barns will only be used for implement storage and will not house livestock. This will limit the level of noise and disturbances associated with the agricultural operations and ensures that there will be no unacceptable amenity impacts on future residents. As such the proposed dwellings would be remote from any uses incompatible with residential properties in terms of noise generation.

Contamination Impacts

4.6 The land has been used for agricultural purposes for a significant amount of time, the building has not been used for the storage of any hazardous or contaminated material. It is therefore unlikely that the site would be subject to any contaminants that would prejudice residential use.

Flooding Impacts

4.7 The site lies within Flood Zone 1, where the annual probably of river flooding is less than 1 in 1000. Flood risk is not therefore a constraint to development in this instance.

Location and Siting of the Building

4.8 When assessing the desirability and practically of the application site for the change of use to a residential dwelling, Paragraph 108 (ID: 13-108-20150305) of the National Planning Practise Guidance, states “the permitted development right does not apply a test in relation to sustainability of location”. This is the case, owing to the fact that

many agricultural buildings are typically in rural locations and not in village settlements and as such are not able to rely on public transport for daily needs.

4.9 Paragraph 109 (ID: 13-109-20150305) of the National Planning Practise Guidance goes into state “impractical or undesirable are not defined in the regulations, and the local planning authority should apply for a reasonable ordinary dictionary meaning in making any judgement. Impractical reflects that the location and siting would “not be sensible or realistic”, and undesirable reflects that it would be “harmful or objectionable”.

4.10 The building is sited in a rural location, where the local planning authority would be resistant towards residential development. However, as outlined in Paragraphs 108 and 109 of the National Planning Practise Guidance, the rural location of a site is not sufficient justification to refuse an application for prior approval. The site is provided with a water supply and a septic tank, which is capable of providing waste disposal for the proposed development.

4.11 The barns are located immediately adjacent to the farmhouse on site and these buildings are arranged in a courtyard fashion. This arrangement ensures a natural separation between the more modern portal framed buildings where the main agricultural activities are undertaken in the westernmost portion of the site, and the brick barns and farmhouse to the east.

4.12 The agricultural buildings closest to the barns will only be used for implement storage and as such the existing agricultural activities on site will not detrimentally impact the desirability of a conversion in this location and will not compromise the amenities enjoyed by the occupiers of the proposed dwellings.

4.13 The barns are sufficiently distant from adjoining residential properties to avoid causing unacceptable loss of privacy to their occupants.

4.14 The courtyard which the barns are arranged around, makes for a practical parking and manoeuvring space and allows both of the proposed dwellings to be provided with parking within easy access.

4.15 It is therefore concluded that the location and siting of the building does not make it impractical or undesirable for the building to change from agricultural to residential use.

Design and External Appearance of the Building

4.16 The scheme retains the traditional character and appearance of the buildings, whilst providing an attractive place to live in compliance with the terms and conditions of Class Q (b).

4.17 The proposal sits within the existing external framework of the building and no extensions are proposed. The existing structure including the trusses and roof structure as well as the external brick skin appear sound and suitable to accommodate the conversion without structural intervention. The external envelope of the building will be insulated internally to comply with building regulations.

4.18 All external materials will be retained, and new windows and doors will be incorporated within existing openings as consented by Class Q, with timber framed, painted windows which compliment this style of architecture. No new openings are proposed as part of the conversion.

4.19 The proposals include a modest domestic curtilage for the properties which will be attractively landscaped. The siting of each private amenity space is such, that the space will be screened by the barns from the south and screened by higher lying land to the north, and will not therefore appear unduly prominent within the landscape.

6 Conclusions

6.1 The buildings in relation to this application are in agricultural use and have been since their construction. The barns are a good example of traditional rural agricultural buildings, comprising a mix of brick, stone and Staffordshire blue tile. The buildings are in good condition and lend themselves to accommodate a residential conversion without any structural alterations or substantial building operations. The proposals therefore satisfy all relevant criteria set out in Q.1 of the Town and Country Planning (General Permitted Development) (England) order 2015.

6.2 The proposal will not detrimentally affect the safe or efficient use of the highway network, and would not be at risk from flooding or contamination. The buildings are located in a quiet rural area and the agricultural buildings immediately adjoining the barns will only be used for implement storage as to ensure the proposed dwellings will not be susceptible to noise or disturbances from the agricultural activities on site.

6.3 The buildings are located within a 1.8km distance from the village of Whiston and 7km from the town of Cheadle. The barn's siting and arrangement in relation to agricultural activities on site is such that their location is not deemed impractical or undesirable.

6.4 The scheme respects the agricultural character of the existing barns and seeks to retain the utilitarian appearance of the buildings by utilising existing external finishes and reinstating existing openings.

6.5 The proposals therefore constitute development permitted by Schedule 1, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.